

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,) 14-CR-00050-1-AB
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)
JUCONTEE THOMAS WOEWIYU, a/k/a)
JUCONTEE THOMAS SMITH,) Philadelphia, PA
) June 14, 2018
) 11:57 a.m.
Defendant.)

TRANSCRIPT OF TRIAL
BEFORE THE HONORABLE ANITA B. BRODY AND A JURY
UNITED STATES DISTRICT JUDGE

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I N D E X

<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
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Ms. Blunt	4(Wri)	28(Wil)	40(Wri)	
Agent Lohmeier	43(Wri)	46(Hen)	48(Wri)	

(Interpreters sworn and questioned out of the presence of the jury)

Mr. Ibeagha	64(Wri)	85(Wil)	82(Tha)	
Mr. Sheriff	90(Wri)	85(Wil)		90(Wil)
Janet Sowo	94(Tha)	146(Wil)		
Iven Paye	149(Tha)	169(Wil)		
Nyen Gondon	172(Tha)			

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*Inaudibles and phonetics due to thick accent

1 (The following was heard in open court at 10:00 a.m.)

2 (Under Seal portion not transcribed)

3 (Jury enters)

4 THE CLERK: All rise. This Court is now in session
5 the Honorable Anita B. Brody presiding. Good morning, Your
6 Honor.

7 THE COURT: Good morning.

8 ALL COUNSEL: Good morning.

9 THE COURT: Please be seated. It's just -- I
10 appreciate your request, I just can't accommodate it, it makes
11 it just too difficult. And it may make you feel better to
12 know that that's the food that the Judge's eat at lunch. So
13 -- I don't feel too badly for you.

14 Okay. All right.

15 MR. WRIGHT: If we may proceed, Your Honor?

16 THE COURT: What?

17 MR. WRIGHT: If we may proceed?

18 THE COURT: Yes. I think it's -- oh, he's not here.
19 The witness from yesterday is not here.

20 MR. WILSON: Yeah. Your Honor, may we just see you
21 briefly at sidebar.

22 THE COURT: Excuse me.

23 (Sidebar conference)

24 MR. WILSON: I would respectfully suggest that you
25 just tell them that because of prior commitments the witness

1 could not be here today, but will be, in terms of the --

2 THE COURT: Okay. Sure. No problem. You could say
3 that out loud. Okay.

4 (Sidebar done)

5 THE COURT: Members of the jury, because of prior --
6 of important commitments, the juror (sic) who was here
7 yesterday could not return today. But he will be back. Okay?
8 To be cross-examined. Okay? Thank you. All right.

9 MR. WRIGHT: Your Honor, the Government calls Emily
10 Blunt. I'm sorry, Elizabeth Blunt. Not Emily Blunt,
11 Elizabeth Blunt.

12 THE CLERK: Please raise your right hand.

13 ELIZABETH MARGARET BLUNT, GOVERNMENT WITNESS, AFFIRMED

14 THE CLERK: Can you state and spell your name for
15 the record, please, Miss?

16 THE WITNESS: My name's Elizabeth Margaret Blunt.

17 THE CLERK: Spell your last name please?

18 THE WITNESS: Blunt, B-L-U-N-T.

19 THE CLERK: Okay. Thank you.

20 THE WITNESS: Thank you.

21 DIRECT EXAMINATION

22 BY MR. WRIGHT:

23 Q Good morning, Ms. Blunt.

24 A Good morning.

25 Q Where are you from?

1 A I'm from Britain, I live in London.

2 Q Okay. Now tell us a little bit, if you would, about your
3 educational background?

4 A I went to a local primary school in South London, to a
5 grammar school also in South London, and then to Cambridge
6 University, and I have a bachelors degree in history.

7 Q When did you get that bachelors degree in history from
8 Cambridge?

9 A 1968.

10 Q I want you to tell us, what did you do after you
11 graduated from college?

12 A I went to work for the BBC, and they had a training
13 program where you went in as a studio technician. So that's
14 how I was trained in the BBC, to work on radio programs.

15 Q And the BBC being?

16 A The British Broadcasting Corporation.

17 Q Now when you said -- what did that entail, your initial
18 job at the BBC, what did you do?

19 A I worked in the studios. I made recordings, I played
20 sound effects, I mixed the sound on the sound desk, and
21 prepared for transmission, all those sort of things.

22 Q Was that radio or television --

23 A It was radio.

24 Q Radio? Now after you had that position at the BBC, what
25 did you do?

1 A I left for a couple of years and went to live in
2 Tanzania.

3 Q Why did you do that?

4 A Because my then husband got a job in Tanzania.

5 Q Then husband?

6 A My then husband.

7 Q And what did you do while you were in Tanzania?

8 A I was partly a housewife. I gave English lessons, I
9 worked on a film as a sound recordist. Bits of this and that.

10 Q Did there come a time that you returned to the British
11 Broadcasting Corporation?

12 A I did. When I went back to Britain, I applied for my old
13 job. They didn't need anymore studio technicians, but I
14 started work as a writer and a producer in World Service
15 Radio.

16 Q What did that entail, being a writer and producer in
17 World Service Radio?

18 A Making radio programs for transmission around the world.
19 And then I -- in the African service I was writing current
20 affairs scripts, which got translated into African languages
21 for broadcast in Hadza, and Swahili, and Arabic, and things
22 like that.

23 Q Now did there come a time that you became a
24 correspondent, a correspondent for the BBC?

25 A Yes.

1 Q Now tell us how that came about? How did that happen?

2 A I was working in the African service and reporting from
3 them. I'd done some reporting trips. I'd taken part in a
4 sort of inter-departmental exchange where I worked in the main
5 newsroom for six months, and when the West Africa
6 correspondent job was advertised, I applied for it, and I got
7 it.

8 Q When you got that position, where were you based?

9 A I was based in Abidjan in the Ivory Coast.

10 Q When was that?

11 A 1986.

12 Q Now based on your familiarity with the -- with the BBC,
13 and broadcast related to the BBC, is it the custom -- business
14 custom and practice of the BBC to correctly name -- when they
15 name individuals who were being interviewed, to correctly name
16 those individuals?

17 A Yes, it is. If they say it's somebody, you could be
18 pretty sure they're right.

19 Q Well tell us about your time in Abidjan. What did you do
20 as a correspondent while you were based in Abidjan, Ivory
21 Coast?

22 A I was responsible for news coverage of West Africa. And
23 my patch, as it was, was defined it went as far north as
24 Mauritania, as far south as Congo Zaire, as it was then, DRC.
25 And east through Chad as far as the Sudan border. So I think

1 that was 26 countries, and it was my job to report for any BBC
2 radio, or indeed television program that wanted it, from that
3 area.

4 Q Now within that area, did you have occasion to report
5 related to the country of Liberia?

6 A I did.

7 Q And what years were you in the Ivory Coast as the African
8 correspondent for the BBC?

9 A From 1986 to 1990. And I did go back again later for a
10 shorter time.

11 Q Now did there come a time while you were there during
12 that time frame from 1986 to 1990 -- when did you leave in
13 1990, by the way?

14 A It would have been the first week of November.

15 Q Now when you were there during that time period of 1986
16 to 1990, did there come a time that Liberia became of interest
17 to your country -- well, number one, was the country of
18 Liberia was in that 26 country --

19 A Yes, it was.

20 Q -- range that you just talked about?

21 A It was. And I had visited. It was policy when I arrived
22 that I should try as soon as possible to get around my patch
23 and get to know the countries, get to know people there, so
24 I'd have someone to call if there was a news story. So I did
25 visit Liberia. But it wasn't terribly newsworthy, until

1 Christmas of 1989 really.

2 Q Now you were in Abidjan, Ivory Coast --

3 A Yes.

4 Q -- a Francophone country?

5 A Yes.

6 Q And where is -- where was that in relation to Liberia?

7 A It was the next door neighbor. If you went to the west
8 of Ivory Coast, that was a common border. A lot of it was a
9 river border, so they were adjacent.

10 Q You said that around Christmastime in 1989 it became of
11 interest. Without telling us what happened at Christmastime
12 of 1989, we've heard some things on that, but as a result of
13 what happened at Christmastime in 1989 in Liberia what, if
14 anything, did you do on January 8th, 1990?

15 A Well it became -- we'd heard that something was
16 happening, and it became obvious that something fairly serious
17 was happening, because people started coming across that
18 border into Ivory Coast. I mean, lots of people. Hundreds a
19 day were picking up their babies and their bundles and
20 crossing the border to get away from whatever was going on in
21 Eastern Liberia.

22 So having verified that with the authorities in
23 Ivory Coast and found out as much as I could, I then went to
24 Liberia itself --

25 Q Well let me stop you for a minute. Let me stop you.

1 Excuse me, let me stop you for a minute. And what had you
2 heard that was happening that made you go into -- made you
3 decide to do what you did on January --

4 A We had heard there was fighting on the other side of the
5 border.

6 Q And what as the border?

7 A The border between Ivory Coast and Liberia.

8 Q But what county did the Ivory Coast border on?

9 A Well in the south it would have bordered on -- it would
10 have bordered on Grand Gedeh, it would have bordered on
11 Maryland, and then further north it would have bordered I
12 suppose on Nimba County.

13 Q And did you at some point go into Nimba County?

14 A Yes, I flew to Monrovia, and then traveled north by road
15 up to Nimba.

16 Q And when you went to Monrovia, was that in January of --
17 was that January 8, 1990, or thereabouts?

18 A It was in January, yes, I believe it would be the eighth.

19 Q What did you observe while you were in Monrovia?

20 A Not a lot. The city was pretty much as it always was
21 really.

22 Q Now you went to -- you said you went to Nimba County
23 after that?

24 A Yes.

25 Q Tell us a little bit about Nimba County, based on your

1 being there and your personal experience, of what were the
2 primary tribes that occupied Nimba County?

3 A Well the main tribes would be Mano and Gio.

4 Q And was there another tribe that also occupied --

5 A Oh, there would have been smaller numbers of other
6 tribes. I mean Liberia was always quite a well-mixed country.
7 I think you're probably referring to the fact that the urban
8 areas had a Mandingo population, who were mostly traders and
9 business people.

10 Q In Nimba County?

11 A In Nimba County.

12 Q Now --

13 A As everywhere in Liberia.

14 Q As everywhere in Liberia. Now when you went to Nimba
15 County, where did you go?

16 A We went straight up the main road, and we slept the night
17 in the county town which is Sanniquellie, in the Presidential
18 Guest House.

19 Q And what did you observe when you were in Nimba County?
20 Where did you go, and what did you observe?

21 A It was very strange, it was very eerie.

22 Q Why do you say that?

23 A Well once we were into Nimba, there was really nobody
24 about, the place was very deserted. Normally, there would be
25 children running about, and there would be chickens, there

1 would be cooking fires because people cook outside. The huts,
2 the doors of the houses would be open. And it wasn't like
3 that at all. It wasn't at all normal. Everything was closed
4 up, we saw very few people.

5 Q What else -- where did you go in Nimba?

6 A Well we -- as I say, we slept the night in Sanniquellie.

7 Q Right. From there?

8 A We heard gunfire in the night. And --

9 Q What did you think that gunfire was a result of?

10 A I have no idea. I don't know.

11 Q What happened next? What did you do next?

12 A In the morning, we were taken on the road towards the
13 Ivorian border, which was the direction that the incursion had
14 come from. And I think we were taken there by the authorities
15 to show us that everything was fine, and there were no rebels
16 around.

17 Q What did you observe when you went with them to that
18 area?

19 A Well it wasn't fine. I mean, there was some dead bodies
20 lying in the road. We got to a little town called Complay
21 (phonetic) which was virtually empty, and the last few people
22 were packing up and leaving.

23 Q And who were these last few people?

24 A I think they were the shopkeepers. They were Mandingo
25 people, and they'd managed to get some transport to get

1 themselves and their goods out.

2 Q Out of Nimba County?

3 A I don't know where they were going, certainly out of
4 Complay. And in fact people had been told to leave Complay so
5 the army would have a clear field of fire.

6 Q Now I'd like to direct your attention to June of 1990.
7 Approximately June of 1990. Now between that time that you
8 were in Nimba County in January of 1990, and June of 1990, did
9 you continue to cover, as a journalist, the conflict?

10 A Yes, I did.

11 Q Now as a result of your coverage of the conflict, did you
12 become familiar with the name of an individual named Jucontee
13 Thomas Williams?

14 A I did, yes. Well I knew him as Tom Woewiyu.

15 Q Tom Woewiyu. And directing your attention to January,
16 and -- I'm sorry, June 25, 1990, did you come into contact
17 with him?

18 A Yes. I think that would have been the first time I met
19 him. There had been a peace meeting in Freetown in Sierra
20 Leone, one of the neighboring countries. I didn't go there,
21 one of my colleagues was there, Mark Huband, and I relied on
22 his reporting of the meeting, and he was reporting the events
23 which involved Tom Woewiyu, because he was the main spokesman
24 for the rebel movement, the NPFL.

25 Q And with regard to that conference that took place in

1 Freetown, did you come into contact with Mr. Woewiyu in
2 Abidjan?

3 A Yes. Because to get from Freetown back to the part of
4 Liberia where he was based, he had to come through the Ivory
5 Coast. So the obvious way to go back would be to fly to
6 Abidjan, which was the capital of Ivory Coast and then go by
7 road across the border and into Liberia. And he stopped, I
8 believe he stopped off in Abidjan and talked to the press, and
9 I met him then.

10 Q Okay. Let me stop you for just a minute.

11 MR. WRIGHT: And if we can pull up that photograph,
12 was it A-3?

13 (Pause)

14 MR. WRIGHT: With the Court's permission, we'd like
15 to publish A-5, which has already been introduced into
16 evidence.

17 THE COURT: Okay. No problem.

18 BY MR. WRIGHT:

19 Q If you could look at your screen, or at the screen right
20 next to you, actually.

21 A Oh. Yes.

22 Q And I ask you if you recognize the individual depicted in
23 that photograph?

24 A Yes, that's Tom Woewiyu.

25 THE COURT: Does everybody have -- does everybody

1 have it?

2 THE CLERK: They have it, Judge.

3 THE COURT: One second, I -- would you want to move
4 the -- would you move the monitor a little bit back, so that
5 all the jurors can see it better, or you move forward.

6 THE WITNESS: So you want to see it. Yes.

7 THE COURT: All right.

8 THE WITNESS: Sorry.

9 THE COURT: Thank you. No. No problem.

10 BY MR. WRIGHT:

11 Q Ms. Blunt, tell us about that first time that you met Mr.
12 Woewiyu. What was the topic?

13 A What had been going on at the talks in Freetown and his
14 point of view and his organization's point of view about that.

15 Q And what was his -- well let's not -- I'm not going to
16 ask you that quite yet. But what did he articulate his point
17 of view being with regard to the Government?

18 A Well that they weren't really interested in coming to an
19 agreement with President Doe's Government, they were
20 interested in President Doe leaving. And that he said that
21 their patience was running out, there was too much talking,
22 they weren't going to sit around and talk. If it went on too
23 long they would go in there -- go down to Monrovia and get him
24 out.

25 Q Now when he said that they would go down to Monrovia and

1 get them out, to your knowledge, was there an armed war going
2 on in Liberia at that time?

3 A Yes, there was. Not in Monrovia, but in the country,
4 yes.

5 Q Between the NPFL and the Government troops?

6 A Yes.

7 Q Now --

8 A And by then, involving another faction as well.

9 Q And we'll talk about that. Now what did -- what, if
10 anything, did you say about the forming of a provisional
11 Government?

12 A That they planned to do that.

13 Q And when you say they, who are you referring to?

14 A The NPFL, the National Patriotic Front of Liberia, which
15 was the movement -- the people who made the first incursion in
16 January, and it was the movement led by Charles Taylor.

17 Q Now what was your impression, based on your interaction
18 with Mr. Woewiyu, about his acceptability as a spokesperson
19 for the NPFL?

20 A Oh, he was a very -- he was a good choice. He was very
21 articulate, not as flamboyant as Charles Taylor, but a bit in
22 the same style. Presented himself very well. Was always very
23 well-dressed. Very persuasive.

24 Q An acceptable face?

25 A Yes. If you're trying to put forward someone who gives

1 the impression that yours is a serious movement, yes. He was
2 a good PR man for the organization.

3 Q Now I'd like to direct your attention to August 7th of
4 1990. Do you recall that date?

5 A That was the time when there was the regional meeting in
6 Banjul in The Gambia of the organization -- it was called
7 ECOWAS, it was the Economic Community of West African States.
8 And these were the neighboring countries who were getting very
9 worried about what was happening in Liberia.

10 Q On that date in August of 1990, did you again come into
11 contact with Mr. Woewiyu?

12 A I did.

13 Q And tell us about that.

14 A Well the meeting was of neighboring Governments, it
15 wasn't really originally to involve the fighting factions.
16 But a delegation from the NPFL turned up unexpectedly at the
17 meeting. Tom Woewiyu was a member of the delegation, and I
18 think a lawyer called Lavallee Super Wood (phonetic), and a
19 former minister now with the rebels called Ernest Eastlick
20 (phonetic).

21 Q And what was Mr. Woewiyu's position as the NPFL by then?

22 A Well he was -- he was their spokesman.

23 Q Was he anything else?

24 A Well I think by then he'd been named as defense minister,
25 but he still seemed mostly to be acting as their spokesman.

1 Q At that time?

2 A At that time.

3 Q To your knowledge?

4 A To my knowledge, yes.

5 Q And so what happened?

6 A They turned up unexpectedly at the meeting. By that time
7 the meeting was talking about forming an intervention force of
8 troops from some of the neighboring countries. They engaged I
9 believe in various discussions with the parties to the
10 meeting, and the following day they gave a -- a press
11 conference, talked to the journalists who were there, and
12 expressed their -- some of their concerns about the -- the
13 peacekeeping intervention force.

14 Q And did you recall what was -- what some of the concerns
15 were as articulated by Mr. Woewiyu at that time?

16 A If you sent an armed force in without getting agreement
17 from all parties, it was actually quite a risky and dangerous
18 thing to do. And they weren't ready to give their assent at
19 that point. They were going home to talk to Mr. Taylor and
20 consult about it.

21 Q Now I'd like to direct your attention to September of
22 nineteen.

23 A Ninety.

24 Q And I'd like to show you a photograph that's been marked
25 for identification as Government Exhibit A8. And do you

1 recognize the individual that's depicted in Government Exhibit
2 A8?

3 A The man on the left with his hands up?

4 Q Yes.

5 A That's Prince Johnson in a rather fine dressing gown. I
6 don't know why.

7 Q And tell us, did you know -- had you seen Prince Johnson
8 before?

9 A Had I seen him before that day -- yes, I think I had.
10 Obviously, I can't be sure.

11 Q Well but you say -- you've seen him in person, Prince
12 Johnson?

13 A Sorry?

14 Q You've seen Prince Johnson?

15 A I've seen Prince Johnson.

16 Q In person?

17 A Yes.

18 Q And is that a fair and accurate depiction of the way he
19 looked, at least facially?

20 A Facially, yes.

21 MR. WRIGHT: Your Honor, the Government would move
22 to have Government Exhibit A8 admitted into evidence.

23 MR. MARTIN: No objection. I'm sorry.

24 THE COURT: All right. It can be admitted and be
25 viewed. The jury hasn't seen it. You're seeing it, they

1 haven't seen it now.

2 THE WITNESS: Sorry?

3 THE COURT: The jury's going to see it now. They
4 didn't see it before.

5 THE WITNESS: Thank you.

6 THE COURT: You looked quizzical.

7 Okay. Is it up?

8 THE CLERK: They have it.

9 BY MR. WRIGHT:

10 Q Why don't you circle the gentleman who's Prince Johnson?
11 You can write on the computer. You can --

12 A Oh, right. This is him over here.

13 Q Now who was Prince Johnson?

14 A He was a soldier. He had been involved in an earlier
15 rebellion against President Doe and gone into exile. He was
16 -- he joined the NPFL, he was part of the early group of
17 rebels that invaded Liberia. And then had had a falling out
18 with Charles Taylor, and his group split away. And although
19 both groups of rebels were heading towards Monrovia, he was
20 coming down by a different, more westerly route.

21 Q He got there first?

22 A Yeah. Well he got -- he got into the port area. Charles
23 Taylor's people got into the eastern suburbs of the city.

24 Q Well directing your attention to September 9 of 1990,
25 tell us -- do you recall that day?

1 A Very well.

2 Q And tell us what happened to you. Where were you on
3 September 9 of 1990, what happened?

4 A I was in Monrovia. I was the only sort of western
5 mainstream media -- western journalist there at the time. I
6 was living in an empty USAID house up in the center of town
7 near the Embassy.

8 The previous day, which I think was a Saturday,
9 there had been some gunfire down near the Freeport. And the
10 port area was then being used as the headquarters for the West
11 African Intervention Force, which had been got together which
12 had come in.

13 Q And when you say that, is that ECOMOG?

14 A That was ECOMOG.

15 Q The monitoring group, the Economic Community of West
16 African States Monitoring Group?

17 A Yes.

18 Q And is that the same intervention force that was being
19 discussed in --

20 A In Banjul.

21 Q -- in Banjul when you in fact saw Mr. Woewiyu?

22 A Yes, it was.

23 Q So they did come into Monrovia?

24 A They did come in.

25 Q And so what happened?

1 A So on the Saturday there had been heavy gunfire down
2 in --

3 Q Which you heard.

4 A -- in port area. And the bridges from the center of town
5 to the Freeport were closed. You couldn't go. Sunday morning
6 everything seemed to be quiet. We waited a bit to make sure
7 it really was quiet, and the bridges were open, people were
8 coming on foot, coming up from there saying the bridges were
9 open. So I went down to see what had been going on. I went
10 in a car which belonged to a Liberian journalist colleague,
11 Mr. Peabody, and -- and young Stanley, his nephew, was driving
12 me.

13 So we drove down to the Freeport, it was very quiet,
14 it was Sunday morning. I spoke to the young Nigerian officer
15 who was dealing with the press for them. And I said was it --

16 Q When you say for them, for who?

17 A For ECOMOG. Was it true that a couple of ECOMOG soldiers
18 had been killed the previous day? And he said, well, best I
19 spoke to his force commander, who was a Ghanaian general
20 called General Quainoo. And we were in the port authority
21 building downstairs. He said, I'll go up and see General
22 Quainoo, who had an upstairs office, to see if he will talk to
23 you.

24 And -- so I was downstairs, along with a Nigerian
25 journalist who worked for the BBC Hausa service, who had been

1 actually traveling with ECOMOG, he was embedded with them.
2 And we waited downstairs. And suddenly there was a great
3 commotion outside. And President Doe, who hadn't really been
4 seen out in public for several weeks I think, had decided to
5 come down to the Freeport and visit the force commander.

6 Q General Quainoo --

7 A General Quainoo. And what the President had said was,
8 that normally when you go to anywhere in Africa, first you go
9 and greet the chief. General Quainoo came with his troops.
10 He didn't come and greet me. I waited. Now I'd better go and
11 greet him. So, anyway, President Doe arrived, lots of
12 vehicles, lots of armed guards. All his entourage.

13 And myself and my colleague, we went out to the foot
14 of the stairs. We just saw the President and the President's
15 people disappearing up the staircase to General Quainoo's
16 office.

17 Q What did you decide to do when you saw that?

18 A Well we waited at the bottom of the stairs with our
19 microphones. We were hoping we'd get a word with him on the
20 way out.

21 Q What happened?

22 A And then -- we waited there for a while. And then
23 suddenly there was more commotion outside, and this was Prince
24 Johnson's people arriving. Now they had controlled the port
25 area before ECOMOG arrived. And they had allowed ECOMOG to

1 use it as their headquarters. So they felt they kind of had
2 landlords rights over the place. Which meant that they came
3 and went pretty well unchecked. And in practical terms that
4 meant that whereas the President's bodyguard had been disarmed
5 before he went up to see the Ghanian general, Price Johnson's
6 people came in with all their weapons.

7 Q What happened next?

8 A And then there was a loud argument and people shouting.
9 And then we could hear that noise where you, if you're
10 preparing a gun to fire, you pull it back and it clicks, we
11 could hear that noise. And then some of the ECOMOG people who
12 were with us pulled us aside, got us out of the hallway,
13 pushed us, they pushed my colleague one way into the press
14 officer's office, me the other way into the camp commandant's
15 office, and then the firing started. And there was a huge gun
16 battle which went on for about an hour and a half.

17 Q Were you familiar with President Doe's voice?

18 A Yes.

19 Q And did you hear his voice during that gunfire -- during
20 that battle?

21 A I did. Towards the end I was in an office at the front
22 of the port authority building on the ground floor with a
23 wide-open window. And I was lying on the ground near the
24 window. And I heard people coming out, and I heard what I'm
25 sure was the President's voice, and he was saying, please,

1 please, I beg you, I beg you.

2 And he said, you are embarrassing us. A bit odd,
3 but that's what he said. And then I heard vehicles starting
4 up and roaring off. And then it went very quiet. And
5 eventually the ECOMOG soldiers that were with me opened the
6 doors to the room, and there were bodies lying in the corridor
7 outside.

8 Q Numerous bodies?

9 A Yes. Bodies all over the -- and in the washroom opposite
10 there were bodies in the washroom. And when we went outside,
11 to the key side, there were bodies on the key side.

12 Q Now shortly thereafter, you come into contact with people
13 who appear to be, at least in your view, in a state of shock,
14 or --

15 A I think everybody was in a state of shock.

16 Q Individuals who appeared to be in a state of shock who
17 had told you that they saw President Doe?

18 A Oh well that would have been the next day.

19 Q And did they still appear to be in that state of shock?

20 A Yes. I mean we were -- I was taken up to town, which was
21 where I was staying. I slept the night in the British
22 Embassy, everybody was very afraid of what was going to happen
23 next. And in the morning people started walking up from the
24 Freeport area and Bushrod Island, which was adjacent to the
25 port, and they had said they had seen the President's body,

1 and that he was lying in a small private clinic, in the island
2 clinic and that he was dead.

3 Q And did they say anything about his body?

4 A They said that something had happened to his hands, as if
5 they'd been sort of hit, or chopped, and his ears, but that
6 was all. And that he was dead.

7 May I say that --

8 THE COURT: No.

9 THE WITNESS: No. Okay.

10 THE COURT: There has to be a question.

11 THE WITNESS: All right.

12 BY MR. WRIGHT:

13 Q Now after that time frame, and now I'm directing your
14 attention to October or so of 1990, around October 16 or
15 thereabouts of 1990. On October 16 of 1990, did you again
16 come into contact with Mr. Woewiyu?

17 A That would have been another of those occasions when he
18 was traveling back to Liberia through Abidjan where I was
19 based, and stopped off to talk to people there.

20 Q And did you have a opportunity to talk to Mr. Woewiyu
21 there?

22 A Yes, I did.

23 Q And tell us about that conversation, if you would?

24 A By that point, his movement were a bit more on the back
25 foot. They were not --

1 Q What do you mean by that?

2 A Sorry, that's cricket. They were a bit more on the
3 defensive. And they had been involved in fighting with
4 ECOMOG. They were being pushed back from the eastern suburbs
5 of the capital. He was talking about that. He was talking --
6 they were slightly softening their negotiating position, he
7 said that it was -- nothing was set in stone about Charles
8 Taylor having to have the leadership.

9 And he and his colleague, who was Ernest Eastlick
10 who had the title of foreign minister I think for the -- the
11 movement, they were complaining that ECOMOG couldn't be seen
12 as a neutral party in any negotiations, because it had clearly
13 taken sides, and particularly because of the influence of
14 Nigeria, which they thought was very pro President Doe. That
15 ECOMOG could no longer be seen as neutral.

16 Q ECOMOG was a combatant?

17 A By then, yes.

18 MR. WRIGHT: If I may, Your Honor, with the Court's
19 indulgence.

20 (Pause)

21 MR. WRIGHT: I always check with my co-counsel to
22 make sure I didn't forget anything. I don't have any further
23 questions of Ms. Blunt at this time, Your Honor.

24 MR. WILSON: May I, Your Honor?

25 THE COURT: Certainly.

1 CROSS-EXAMINATION

2 BY MR. WILSON:

3 Q Good morning, Ms. Blunt.

4 A Good morning.

5 Q Ma'am, I don't have that many questions. I just wanted
6 to clarify a few points. I think earlier in your testimony
7 you said that you had arrived in 1986 and tried to make the
8 rounds of your patch, correct?

9 A Yes.

10 Q And you had been to Liberia, correct?

11 A Yes, that's correct.

12 Q And -- but you indicated that Liberia wasn't particularly
13 newsworthy until Christmas of 1989?

14 A That's correct.

15 Q Had there -- had you covered, or had you heard reports
16 about President Doe's Government, or President Doe's army
17 persecuting individuals of the Gio and Mano tribes in Nimba
18 County?

19 A Yes. But that happened before I was the correspondent.
20 That was the consequence of an earlier rebellion.

21 Q Before 1986?

22 A Before 1986.

23 Q And what month would you have arrived in 1986, do you
24 remember?

25 A August. It was my birthday.

1 Q So Christmas of 1989 was important because you became
2 aware that there had been a incursion --

3 A That was when the incursion took place.

4 Q -- in Nimba County, correct?

5 A Yes.

6 Q Very close to the border with Cote d'Ivoire?

7 A Yes, they came in over the border.

8 Q Okay. Do you remember the name of the town that the
9 first fighting started?

10 A Butaw, I think.

11 Q Butaw?

12 A Butaw, and it went on to Complay.

13 Q Okay. What date did you hear that the incursion had
14 occurred?

15 A On Christmas Eve. And I later met some Ivorians who had
16 crossed the border to buy alcohol for Christmas who'd got
17 caught up in it. So it was Christmas Eve.

18 Q And what -- when did you first hear of it? If it
19 happened on Christmas Eve, do you remember when you first
20 heard of it?

21 MR. WRIGHT: Objection, asked and answered, Your
22 Honor.

23 THE COURT: I don't -- would you restate the
24 question, so I would --

25 MR. WILSON: When did you first hear about the

1 incursion?

2 THE WITNESS: Yes?

3 THE COURT: Yes.

4 THE WITNESS: Well I would first have heard about it
5 actually on the BBC from London, because somebody who said his
6 name was Charles Taylor called the program, called Focus on
7 Africa, which was very widely listened to in that region,
8 called up and said we've invaded Liberia. And Focus on Africa
9 put him on air, and he made that claim in public.

10 Q Do you remember what date that was?

11 A I don't. Probably the day after Christmas, probably
12 Boxing Day.

13 Q Okay. And Boxing Day, just in case the jurors --

14 A Is the day -- is the 26th of December. The day after
15 Christmas.

16 Q The Focus on Africa, by the way, is a regularly scheduled
17 program on BBC radio, correct?

18 A It is. It went out three editions every afternoon. The
19 one at 5:00 local time was the one that everyone in Liberia
20 listened to. So if you wanted to speak to Liberia, getting
21 yourself on that program was important.

22 Q Personally, how many times do you think you met with Tom
23 Woewiyu?

24 A Well I've been trying to work it out. The three
25 occasions that we spoke about already, and I think I also met

1 him at a peace conference which took place in the spring of
2 the following year, 1991, by which time I was back in London,
3 but I traveled to Liberia for that meeting. And I think he
4 was also there. But I haven't got written notes or record of
5 having met with him then.

6 Q And what country would that have been in?

7 A That was in Liberia.

8 Q And where in Liberia? Do you recall?

9 A Hotel Africa, I think.

10 Q In Monrovia?

11 A In Monrovia. Yes.

12 Q Okay. When you left your job reporting in Africa in
13 November of 1990, did you remain in a position that involved
14 the transmission of news from Africa?

15 A Yes. I was working -- by then I'd officially been
16 transferred from the African service to the main newsroom.
17 But I think at that point I would have been working as what
18 they call a three A's duty editor. It was Africa, Asia and --
19 heavens what was it -- but anyway it was the three A's --
20 Arabs. Africans, Arabs and Asians. So I was supervising the
21 news from those areas. And I was then asked, because I knew
22 Liberia, to go back and cover that conference.

23 Q Did that conference lead to the opening of the road
24 between Monrovia --

25 A Buchanan?

1 Q -- and Greater Liberia, the interior?

2 A Yes. They had a confidence building trip down from
3 Monrovia to Buchanan, which the -- Buchanan was in Charles
4 Taylor's sector of the country.

5 Q Buchanan was near Roberts Field, correct?

6 A Beyond Roberts Field.

7 Q Just beyond Roberts Field. About how far beyond Roberts
8 Field?

9 A Oh, quite a long way.

10 Q And Roberts Field was the airport that was near the
11 Firestone Plantation?

12 MR. WRIGHT: Objection. Beyond the scope, Your
13 Honor.

14 THE COURT: Overruled. You can answer.

15 THE WITNESS: Yes. Yes, it was fairly near
16 Firestone. It's quite -- it's unusually far from town for an
17 international airport. It's quite a long way from Monrovia.

18 BY MR. WILSON:

19 Q There is another airport that services Monrovia, correct?

20 A There's a small local airport called Spriggs Payne, which
21 is in the middle of the city.

22 Q So the 1991 meeting was essentially a meeting that tried
23 to -- when you say confidence building, it was an attempt by
24 the NPFL and ECOMOG to try and work out some --

25 A The international community and civil leaders, church

1 leaders to try and bring the sides together. And I think by
2 that time to hammer out some kind of interim government.

3 It was a very long process.

4 Q And that's the only time that you met Tom Woewiyu in
5 Liberia, correct?

6 A I think it was, yes.

7 Q Okay. The other times would have been in Abidjan, and I
8 think at one time you said in --

9 A Well I was actually correspondent, it was always outside
10 the country. Because of course he didn't go to Monrovia, and
11 I didn't go to the other side of the front line.

12 Q Did you ever meet with him in London?

13 A I don't think so.

14 Q This 1991 process that -- the confidence building process
15 that sort of led to the opening of the road -- it -- the road
16 only stayed open temporarily, correct?

17 A I believe so, yes.

18 Q And would it be fair to say that it was Prince Johnson's
19 forces that undid any confidence building that had been going
20 on at that point?

21 A I wouldn't want to give an opinion on that really. It
22 all got very complicated.

23 Q Now most of your testimony was focused on this day in
24 September 9th in 1990 when -- the day after you heard that Doe
25 was dead. The -- Prince Johnson commanded a rival group to

1 the NPFL on that date, correct?

2 A That's correct.

3 Q And to your understanding, my client on that day was the
4 spokesperson for the NPFL --

5 A And he had the title of defense minister.

6 Q -- and the title of defense minister, but he had nothing
7 to do with, on that date with Prince Johnson, correct?

8 A No.

9 Q Okay. They would have -- the NPFL and Prince Johnson
10 forces were clearly military rivals at that point, correct?

11 A Exactly. And they were on opposite -- at opposite ends
12 of the city.

13 Q Okay.

14 A With the city and ECOMOG in between them.

15 Q And so just to clarify for purposes of the -- that we --
16 they may show a map of Monrovia later, but the port area on
17 Monrovia's on the western part of the city, sort of the
18 southwestern part of the city?

19 A Yes.

20 Q Correct? And you said that the NPFL forces were to the
21 east of the city?

22 A That's correct.

23 Q And the port area is fairly sizeable, correct?

24 A It is. Yes. Liberia has a big port facility.

25 Q And lots of warehouses there, correct?

1 A Lots of warehouses.

2 Q And that was an area that, to your knowledge, because you
3 were living in Monrovia, or you were temporarily bivouacked in
4 Monrovia, Prince Johnson forces controlled the port area?

5 A They were operating in that area. I wouldn't say they
6 controlled it, because ECOMOG -- it was the ECOMOG
7 headquarters, and --

8 Q And ECOMOG had been there for approximately a month at
9 that point?

10 A Something like that.

11 Q Were you aware that there was any kind of alliance
12 between Prince Johnson and ECOMOG?

13 A In the sense that he had allowed them to set up camp in
14 his sector.

15 Q And so ECOMOG had come in, to your knowledge, for the
16 purpose of peacekeeping in Liberia, but here's the -- the
17 President, Doe is at the presidential palace in Monrovia,
18 correct?

19 A That's correct.

20 Q And ECOMOG is in -- not only was Prince Johnson in a
21 rival group with the NPFL, but he was definitely fighting
22 Doe's force in the Liberian Army, correct?

23 A Correct.

24 Q Which was also known as the AFL, correct?

25 A Correct. The Armed Forces of Liberia.

1 Q And so this peacekeeping force was not anywhere near the
2 -- well given that it's a city, it wasn't really near the
3 presidential palace, it was in the area that was controlled by
4 one of the president's rival groups?

5 A That is correct.

6 Q Okay. And they hadn't gone to visit the president as far
7 as you made out from that day when President Doe arrived to --

8 MR. WRIGHT: Objection. No firsthand knowledge of
9 that, Your Honor.

10 THE COURT: Ask her whether she has any firsthand
11 knowledge.

12 BY MR. WILSON:

13 Q You heard him -- when he showed up you heard him --

14 THE COURT: Who? Who is he?

15 BY MR. WILSON:

16 Q Doe. When you -- when Doe showed up on that day in the
17 port area, at the ECOMOG headquarters, you heard him say
18 something to the effect that they haven't come to see me, so
19 I'm coming to --

20 A No, I didn't hear him say that then.

21 Q I'm sorry.

22 A But he -- I think that was secondhand testimony. But
23 that I believe was his argument.

24 Q I see.

25 A But I didn't hear that with my own ears.

1 Q I see. Thank you.

2 A I didn't hear him say anything. He swept upstairs and
3 disappeared.

4 Q As part of your reporting prior to this date, had you
5 reported that ECOMOG had asked Doe to leave Liberia and they
6 were ready to provide him safe passage out of Liberia?

7 MR. WRIGHT: Objection, Your Honor. That would call
8 for -- the basis for that answer, if she reported on that,
9 would be hearsay.

10 THE COURT: Well let's find out --

11 MR. WILSON: Well I'm only asking whether she
12 reported it.

13 THE COURT: Well let's see how she knows it, because
14 you have to lay a foundation.

15 MR. WILSON: Okay.

16 BY MR. WILSON:

17 Q Well in reporting from Monrovia, the specific purpose you
18 were there was to find out what was going to happen with
19 ECOMOG coming in, and what was going to happen with President
20 Doe, correct?

21 A Correct.

22 Q Okay. And it was your job to report on that, correct?

23 A It was.

24 Q And you would talk to many sources to try and --

25 A I would. Yes.

1 Q -- get information on that, because as you said,
2 President Doe was not appearing in public at that point?

3 A Correct.

4 Q Was there, at that time, since this peacekeeping force
5 was not at the presidential palace, and did you see the
6 peacekeeping force go to the presidential palace at all?

7 A No.

8 Q Would you -- during your time in Monrovia would you go
9 stake out the presidential palace to see what was happening?

10 A No, I was too scared.

11 Q It was dangerous to be around there?

12 A It was. A lot of soldiers around there. And very
13 frightened soldiers.

14 Q A lot of AFL soldiers?

15 A Frightened AFL soldiers.

16 Q No other soldiers around the palace, the AFL soldiers?

17 A No, they were Doe's people.

18 Q Okay.

19 THE COURT: What was your answer?

20 THE WITNESS: They were Doe's people.

21 THE COURT: Okay.

22 BY MR. WILSON:

23 Q Okay. And you thought that, even though you've obviously
24 placed yourself in -- in danger to get reports, you thought
25 that was too dangerous to go near the presidential palace?

1 A I tried to put myself in danger as little as possible.

2 Yes, I stayed away from the palace, from the mansion.

3 Q I appreciate that. The -- did you meet with any ECOMOG
4 leaders to ask them what the situation was with Doe? I don't
5 want to know what their answer is, but did you meet with them
6 to ask what the situation was?

7 A I don't think so. I mean, I -- that was what I was
8 trying to do the day Doe got killed.

9 Q Okay.

10 A But there were other people involved in Monrovia.

11 Q I'm sorry?

12 A There were other people in Monrovia.

13 Q Other reporters, or other factions?

14 A No, I mean other players in the game.

15 Q I see. But the peacekeeping force had been there for
16 several weeks at that point, almost a month by September 9th?

17 A It was September the 9th in -- previously we talked about
18 the Banjul meeting when they were getting this together --

19 Q What led to the --

20 A -- that was in early August. So they hadn't been there
21 that long. They would only have gone in a couple of weeks
22 before. I came in with the second wave. I got a ride in on a
23 Nigerian oil tanker that was bringing in refined products for
24 the -- for the force. A civilian vessel. They wouldn't let
25 me on their naval vessels, but they allowed me to come on one

1 of their civilian ships.

2 Q Okay. And you were not -- you certainly were not present
3 for any meeting between ECOMOG and Doe prior to September 9th?

4 A No, I wasn't.

5 Q Okay. And just to clarify something else too, Freeport,
6 with a capital F, is one word, is the capital of Sierra Leone,
7 correct? I'm not --

8 A Freetown.

9 Q Freetown.

10 A Freetown.

11 Q I'm sorry. And when you were talking about Freeport you
12 were just talking about the free --

13 A The Freeport is the port area of Monrovia. That's what
14 people call it.

15 Q Thank you.

16 MR. WILSON: I have no further questions.

17 THE COURT: Anything further?

18 MR. WRIGHT: If I may, Your Honor?

19 THE COURT: Sure.

20 REDIRECT EXAMINATION

21 BY MR. WRIGHT:

22 Q Counsel just asked you about what you refer to as sort of
23 a confidence building meeting in 1991 --

24 A Yes.

25 Q -- I believe between ECOMOG and -- and Mr. Williams,

1 NPFL?

2 A Um-hum.

3 Q Are you familiar with the term octopus -- operation
4 octopus?

5 A Yes.

6 Q And that meeting was before October of 1992, correct?

7 A Correct.

8 MR. WRIGHT: I don't have any further questions,
9 Your Honor.

10 THE COURT: Counsel?

11 MR. WILSON: I have no followup on that, Your Honor.

12 THE COURT: Okay. Thank you, very much.

13 THE WITNESS: Thank you.

14 (Pause)

15 MR. WRIGHT: Your Honor, the Government calls
16 Special Agent Jennifer Lohmeier.

17 JENNIFER K. LOHMEIER, GOVERNMENT WITNESS, SWORN

18 MR. WRIGHT: Your Honor, before I begin my
19 examination of Special Agent Lohmeier, I'd like to present the
20 members of the jury with a stipulation that's been agreed to
21 between the parties?

22 THE COURT: Oh, no problem.

23 MR. WRIGHT: It is agreed by and between the parties
24 that the BBC Broadcasts that are represented by Government
25 Exhibits H13, I4, I5, I6, I7, 10, 12, 13, 14, 15, 17, 18, 19,

1 20, 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, and 33 are
2 authentic.

3 MR. WILSON: And, Your Honor, may I just have one
4 moment with Mr. Wright?

5 THE COURT: Sure.

6 (Pause)

7 MR. WILSON: Your Honor, we hadn't specifically
8 gotten the numbers, but it's -- we do stipulate as --

9 THE COURT: All right. Hand that to Jim to make
10 sure he has the proper one. You have them, Jim?

11 THE CLERK: I'll get it.

12 THE COURT: Okay.

13 MR. WRIGHT: If I may, Your Honor?

14 THE COURT: Sure.

15 DIRECT EXAMINATION

16 BY MR. WRIGHT:

17 Q Good morning.

18 A Good morning.

19 Q Are you employed?

20 A Yes, sir.

21 Q By whom?

22 A I'm employed by the Federal Bureau of Investigation.

23 Q And in what capacity?

24 A I'm a Special Agent.

25 Q And how long have you been a Federal agent with the

1 Federal Bureau of Investigation?

2 A I've been a Special Agent since 2009.

3 Q And tell us about some of your duties. What are some of
4 the things you've done as a Special Agent?

5 THE COURT: Excuse me. Would you mind moving
6 forward a little bit closer to the microphone?

7 THE WITNESS: Sure, ma'am.

8 BY MR. WRIGHT:

9 Q What are some of the things you've done as a Special
10 Agent? What are some of your assignments?

11 A Sure. As a Special Agent with the FBI I currently
12 specialize in cases that involve national security and human
13 rights violations.

14 Q Now in relationship to that -- to your job as an FBI
15 agent, have you had occasion to listen to each and every one
16 of the BBC tapes --

17 A Yes, sir.

18 Q -- and broadcasts that -- you heard the stipulation --

19 A Yes, sir.

20 Q -- that we just -- that we just identified, stipulation
21 as being authentic for the jury.

22 A Yes, I have listened to each of the tapes.

23 Q And have you come into contact with an individual that
24 you know to be Jucontee Thomas Woewiyu?

25 A Yes, sir.

1 Q Is that individual in the courtroom here today?

2 A Yes, sir.

3 Q And will you point him out for us, please?

4 A Sure. Mr. Woewiyu is currently sitting at the defendant
5 table in the middle.

6 THE COURT: Let the record reflect this witness has
7 identified Mr. Woewiyu.

8 BY MR. WRIGHT:

9 Q Now when you initially came in to contact with Mr.
10 Woewiyu did you have a opportunity to talk to him?

11 A I did.

12 Q And did he talk to you?

13 A He did.

14 Q And with regard to that, as a result of talking to him,
15 did you become familiar with his voice?

16 A Yes, sir.

17 Q And on those authentic BBC recordings that you listened
18 to, did you hear his voice?

19 A Yes, sir. He was introduced as Mr. Woewiyu, and that was
20 confirmed with his voice.

21 Q Now I'd like to, with the Court's permission, play
22 Government Exhibit I27.

23 MR. WRIGHT: If I could have just one moment.

24 (Pause)

25 MR. WRIGHT: Your Honor, there should in fact be a

1 transcript that should roll along, with the Court's
2 permission, if we may publish it, that should, if it works, it
3 should be synced and roll along with on the computer --

4 THE COURT: Any objection?

5 MR. WILSON: No objection.

6 THE COURT: Okay.

7 MR. WRIGHT: If I may, Your Honor?

8 (Video played 10:55 a.m.)

9 THE COURT: Is there any objection to it being
10 listened to?

11 MR. WILSON: No, Your Honor.

12 THE COURT: Okay.

13 (Video continuing)

14 THE COURT: I don't see how -- one second. One
15 second. Can you stop it a second?

16 (Video stopped)

17 THE COURT: I don't see -- I don't see the
18 transcript coordinating with what's --

19 MR. WRIGHT: That was the introduction, Your Honor.
20 When it comes down to the -- that was just the introduction.
21 It was the program --

22 THE COURT: Well -- all right. I'm just reading
23 this, and it doesn't sound like what I'm hearing.

24 MR. WRIGHT: Yes. Your Honor, it will start when
25 the -- it will start momentarily.

1 THE COURT: Okay.

2 (Video continues, ending at 10:57 a.m.)

3 MR. WRIGHT: I don't have any further questions of
4 Special Agent Lohmeier at this time.

5 CROSS-EXAMINATION

6 BY MS. HENRY:

7 Q Good morning.

8 A Good morning.

9 Q Agent, when you -- on those tapes, those BBC tapes that
10 you listened to --

11 A Yes, ma'am.

12 Q -- on the beginning of all those tapes, I know we just
13 heard a portion, but the beginning, the interviewer asked Tom
14 Woewiyu where he's calling from, right?

15 A In some of those tapes, yes.

16 Q Okay. But that wasn't part of this tape, right? Do you
17 know where he was calling from in this tape?

18 A I'd have to review the tape.

19 Q Okay. And you said that at the beginning of this you
20 were asked if you recognized Tom Woewiyu's voice from speaking
21 to him before, right?

22 A Correct.

23 Q Okay. And you said that you did.

24 A I did on one occasion, yes.

25 Q I'm sorry?

1 A I did on one occasion, yes.

2 Q Okay. So you weren't present when he was interviewed by
3 FBI in 2010 with Attorney Basso (phonetic) regarding the Bolle
4 (phonetic) investigation.

5 MR. WRIGHT: Objection, beyond the scope.

6 MS. HENRY: Your Honor, she -- he was talking about
7 that she had interviewed the defendant before, so I'm asking
8 about the interviews that we had.

9 MR. WRIGHT: Your Honor, she didn't say she had
10 interviewed him, she said that she had spoken with him.

11 MS. HENRY: Well I don't know what the difference
12 is.

13 MR. WRIGHT: It was not an interview, Your Honor.

14 THE COURT: Well why don't you change the word.

15 MS. HENRY: Your Honor, I thought when the FBI
16 speaks with you, it's usually an interview, not chitchat.

17 BY MS. HENRY:

18 Q Okay. So when --

19 MR. WRIGHT: That wasn't chitchat either, Your
20 Honor.

21 THE COURT: All right.

22 BY MS. HENRY:

23 Q Were you present --

24 MR. WRIGHT: Or maybe it was.

25 MS. HENRY: May I inquire, Your Honor, please?

1 THE COURT: Yes.

2 MS. HENRY: Thank you.

3 BY MS. HENRY:

4 Q Were you present during the interview by the FBI of Mr.
5 Woewiyu in --

6 THE COURT: Why don't you say did you speak to him?

7 BY MS. HENRY:

8 Q Did you speak to Mr. Woewiyu in 2010 along with other FBI
9 agents?

10 A No, Ma'am. The FBI was not involved in the George Bolle
11 investigation, so no FBI agents interviewed him at that time.

12 Q Okay. That was immigration officials. Okay. What about
13 2012 when Mr. Woewiyu agreed to give -- to talk, whatever,
14 with FBI, were you present for that?

15 A No, Ma'am.

16 Q Okay.

17 MS. HENRY: I have no further questions. Thank you.

18 THE COURT: Okay. You can step down.

19 MR. WRIGHT: Hold -- I have one question.

20 REDIRECT EXAMINATION

21 BY MR. WRIGHT:

22 Q I have one question. She was asking you about dates in
23 2010, is that correct?

24 A Yes.

25 Q And two thousand and --

1 A Twelve.

2 Q And twelve?

3 A Yes, sir.

4 Q And the statements in this case were made in what year?

5 Do you know based on the Woewiyu investigation, what year were
6 the statements made that form the basis of the Indictment in
7 this case?

8 A Those statements were made in 2009.

9 MR. WRIGHT: I don't have any further questions.

10 MS. HENRY: No questions, Your Honor. Thank you.

11 THE COURT: Okay. You may step down.

12 THE WITNESS: Thank you, ma'am.

13 MR. THAYER: Good morning, Your Honor.

14 THE COURT: Good morning.

15 MR. THAYER: The Government calls Janet Sowu.

16 Your Honor, she'll be just a moment.

17 THE COURT: She'll be here --

18 MR. THAYER: She is here, but she'll be here in just
19 a moment.

20 THE COURT: Oh, okay.

21 (Pause)

22 THE COURT: Are there two witnesses?

23 THE CLERK: This is the interpreter, I would assume.

24 THE COURT: Oh, you're an interpreter? Okay. All
25 right. You may step up. Let's swear in the interpreter

1 first.

2 THE CLERK: Please raise your right hand
3 interpreter.

4 ABDULLAH SHERIFF, INTERPRETER SWORN

5 THE CLERK: Could you state and spell your name for
6 the record, please, sir?

7 THE INTERPRETER: Abdullah Sheriff,
8 A-B-D-U-L-L-A-H S-H-E-R-I-F, as in Frank, F as in Frank.

9 THE CLERK: Could the witness please raise your
10 right hand?

11 JANET SOWO, WITNESS SWORN

12 THE COURT: I don't understand what you're
13 translating. From Jim --

14 THE INTERPRETER: From Jim to her.

15 THE COURT: But you're not -- you're speaking
16 English?

17 THE INTERPRETER: Yes.

18 THE COURT: Oh, well then there doesn't need to be a
19 translator.

20 MR. THAYER: Your Honor, and we can --

21 MR. WILSON: Your Honor, may we see you at sidebar?

22 MR. THAYER: -- we can explain this a little bit
23 through the examination of the witness. I think it will be
24 clear very quickly.

25 THE COURT: So you need just -- you just need to

1 stand around, you don't have to translate everything, but just
2 when you're called upon to translate?

3 MR. THAYER: Your Honor, the witnesses speak a
4 dialect of English known as Liberian English, which although
5 it sounds like we're speaking the same language, in fact we
6 are speaking different dialects of English. So the Liberian
7 witnesses will need full-time interpretation for every
8 question. Although there are certain words you will hear
9 sound the same in English, they have completely different
10 meanings in the Liberian English dialect.

11 THE COURT: Are you -- are you -- has this been
12 presented to defense?

13 MR. WILSON: Your Honor, may we see you at sidebar?

14 THE COURT: Yes. Okay. You may be seated.

15 (Sidebar conference)

16 THE COURT: She understands me, is that what you're
17 saying?

18 MR. THAYER: She can understand some of what we say.
19 She can't understand everything we say. And she requires
20 interpretation for much of what we say. And so you can see
21 that sometimes the witnesses will understand, or think they
22 understand what we are saying, but they require the assistance
23 of the interpreter to understand the questions that we're
24 going to ask.

25 This has been our experience, both in the prior

1 cases, the case that were tried. But this is what we have
2 learned, Your Honor, is that the -- they grow up speaking what
3 is truly a different dialect of what we know as the English
4 language, and you will see that I think pretty clearly. And
5 one of the reasons why the interpreters are so important, both
6 parties sometimes think they know what the other is saying,
7 but without the interpretation --

8 THE COURT: Is this man an interpreter sanctioned by
9 the Court?

10 MR. THAYER: Yes, they are the Court certified
11 interpreters who were interpreting the prior trial, the other
12 trial.

13 MS. HENRY: Well who's paying them, are they on your
14 -- hired by your office, or by the Court's interpreting?

15 MR. THAYER: They are paid by our office.

16 MS. HENRY: Exactly.

17 MR. THAYER: They are only -- they are the only
18 certified Liberian translators in the country.

19 MR. WILSON: Your Honor, the concern that I have is
20 based on what Mr. Thayer said and the jury just heard, she
21 could say a word, an English word, and he could then interpret
22 it as saying something else, and we have to take the -- the
23 man that the Government's paying for, we have no way of
24 knowing --

25 THE COURT: The -- has this person been certified

1 through the -- through our Court interpretation? That's the
2 only issue. I think I don't have a right to hear an
3 interpreter, and I'll have to look that up, but is he an
4 interpreter through our Court? I mean, I -- as far as I know
5 -- is that as far as you know too?

6 MS. HENRY: Yes.

7 THE COURT: As far as I know through the Court. Now
8 I don't know if anyone else ever insisted upon it, but it
9 seems to me that that has to be -- we have to figure out what
10 we're going to do. I mean, she can't -- he can't re-interpret
11 what she says in English. Unless I have it sanctioned by the
12 Court that this can be done. I mean, I don't know how we're
13 going to think otherwise.

14 MR. THAYER: If I may, Your Honor, and if I may
15 raise just a couple of things. As you know, and I know it's
16 largely irrelevant, but we had another case that involved many
17 individuals --

18 THE COURT: Was this raised?

19 MR. THAYER: Well, no, Your Honor. Simply
20 because --

21 THE COURT: Was this issue raised?

22 MR. THAYER: Was this issue raised?

23 THE COURT: Yes.

24 MR. THAYER: Well certainly. As a matter of fact,
25 the Court in fact tried to find interpreters. Judge Diamond

1 tried to find interpreters and --

2 THE COURT: When did he do that?

3 MR. THAYER: He did that through Larry Bowman.

4 THE COURT: How long ago before the trial?

5 MR. THAYER: It was -- it was at the beginning, or
6 prior to the trial. And he in fact, and they made the
7 determination that these were the interpreters. The person
8 who is the head interpreter was the one who was used in Miami.
9 He's out of Chicago, he was used in Miami for the Charles
10 Taylor, Jr. case for this very reason.

11 If I may, Your Honor, the language is very much like
12 a Jamaican Patois in some sense.

13 THE COURT: It doesn't matter what it is, it's a
14 question is whether or not -- I understand it, and I have to
15 do some homework on it, that there has to be a Court
16 sanctioned interpreter. That's what I understand. So I think
17 I'm going to have to take -- do you have another witness
18 that's --

19 MR. THAYER: All our witnesses are Liberians who
20 were --

21 THE COURT: All the rest of the witnesses?

22 MR. THAYER: Through today we have four -- we have
23 five witnesses on deck who are all Liberian nationals.

24 THE COURT: Well why don't we call -- why don't we
25 call the head of -- only I'll to have to ask the jury to

1 leave, and I'm going to call up our Court interpreter, and
2 I'll call up the Clerk of the Court -- does he work for the
3 Clerk of the Court? Okay. And have an interrogation of him.
4 Because I don't know -- that may all well be, but it may be
5 that you have to have him certified.

6 There's a way of getting him certified, and the
7 question is whether you went through that. That's what's the
8 issue. I have no problem, if you have that -- would you call
9 him up, and should I get the jury out? I think it would be a
10 good idea.

11 (Sidebar done)

12 THE COURT: Members of the jury, this is -- this is
13 a administrative problem. And I'm going to ask you to take
14 our break now. And we'll call you back as soon as we get this
15 resolved. Okay?

16 THE DEPUTY: Leave your notes.

17 THE COURT: Oh, I didn't even tell you -- you know
18 what it is. Okay. I'll repeat it a little later.

19 (Jury exits)

20 (Court in recess 11:11 a.m. to 11:31 a.m.)

21 THE COURT: All right. Thank you. All right. Mr.
22 -- do you have any objection to this person --

23 MR. WILSON: Absolutely, Your Honor.

24 THE COURT: And what's your objection?

25 MR. WILSON: Okay. Your Honor, there is -- Your

1 Honor, first of all, we were given no notice of this
2 particular issue. I think at some point there might have been
3 a mention that there were interpreters. I'm assuming, well
4 based on my research, that because there's 16 indigenous
5 dialects in Liberia, that perhaps a witness was going to speak
6 in their particular dialect, and then somebody who was
7 certified by the Court was going to interpret that dialect
8 into English.

9 Not that it was going to be an English dialect
10 interpreted into another English dialect, and we were not
11 apprised of that. And so there's several issues with that,
12 Your Honor. Because she's going to testify apparently in
13 English, in this English dialect and we've been alerted that
14 some words that she's going to say in English she doesn't mean
15 what -- what we think she means. That's -- that's an
16 impossible situation, Your Honor. If we knew that, we could
17 have had somebody sit and listen to her testimony to offer
18 counter interpretation of it.

19 But we didn't know that. There's -- this is in the
20 nature of an expert, who's brought up as an interpreter and --
21 and this should be the subject of a Daubert hearing as to
22 whether it's even necessary, whether it helps the Government
23 -- or it helps the jury in any way.

24 And not only that, Your Honor, being paid for by the
25 Government. Now I know that Rule 28 says that, with respect

1 to interpreters, says that the Court may appoint or select
2 interpreters as deemed necessary, and then can decide who
3 pays, the Court or the Government. Your Honor didn't have a
4 opportunity to do that to select an interpreter beforehand.

5 We're presented with this interpreter. And so we
6 would suggest, Your Honor, that this person, at best, if they
7 have nobody else available to interpret at this point, or if
8 the Court has nobody else available who's neutral, this
9 person, we don't know what they -- how much they've testified
10 for the Government, how much the Government has paid them in
11 the past.

12 If the witness would testify from the stand and this
13 Government paid expert in the dialect would sit somewhere in
14 the courtroom where he can hear everything that she says, and
15 then he be put on the stand later as a witness to testify what
16 he thinks she meant, after we have the suitable colloquy as to
17 whether he is an expert in the dialect, and whether he can --
18 he can proceed as an expert, but that we be able to
19 cross-examine him.

20 THE COURT: Well what you could do -- what you could
21 do is, we could do this all at the same time. Could it
22 possibly -- could we possibly have the witness testify, and
23 right after that, let him tell us what he thinks the testimony
24 is, and then you can cross-examine on it.

25 MR. WILSON: That's it, but we don't know anything

1 about him yet. We haven't been given any information with
2 respect to him. We --

3 THE COURT: Well we could do that now.

4 MR. WILSON: Okay.

5 THE COURT: That we could do now.

6 MR. WILSON: That's at least -- but I think it would
7 be a little bit better flowing, and it would -- the
8 cross-examine would be a more meaningful cross-examination if
9 she testified in English, as we've heard she can, the jury can
10 hear what she said, and then he can -- he can listen and take
11 notes and say, oh, she used this word, she really meant this.
12 And we can cross-examine him on that in front of the jury at
13 -- after she's finished testifying. It's the only just way in
14 this case, Your Honor. It's not a fair trial otherwise. That
15 the Government is bringing somebody who could very well be
16 biased. I mean, and I -- and he --

17 THE COURT: He's being paid by somebody other than
18 the Court.

19 MR. WILSON: He gave a Muslim name as his name. The
20 only Muslims in Liberia are Mandingo usually. And so given
21 the charges in the Indictment and what's been alleged, he
22 could well have a motive in all this. And -- and without us
23 being able to challenge otherwise what he's saying, oh, she
24 said this, but she really meant this, that's not justice, Your
25 Honor.

1 MR. WRIGHT: If I may be heard, Your Honor.

2 THE COURT: Sure.

3 MR. WRIGHT: As an initial matter, Your Honor, we
4 provided a number of reports of investigations to the defense.

5 THE COURT: Did you ever tell him that you were
6 going to have a witness who was going to testify on English?
7 I mean, that's the issue Mr. --

8 MR. WRIGHT: Your Honor, if I could be heard, very
9 respectfully.

10 THE COURT: Well certainly. But I'm challenging
11 you.

12 MR. WRIGHT: Well, no, I understand. If I may, each
13 one of those ROIs, when we had an individual who was in
14 Liberia, so just as this lady who's going to testify and other
15 witnesses, say at the beginning of it that there was an
16 interpreter there.

17 And, if I may, Your Honor, respectfully, there's a
18 very good reason for that. And that reason is that, despite
19 the fact that we're speaking English dialect, it might as well
20 be a different language, often. It's like Portugese and
21 Spanish. They are similar -- or Italian. They're not the
22 same.

23 THE COURT: And I'm not telling you I wouldn't let
24 you use an interpreter. And the Rules -- we've looked it up
25 very quickly, and as I understand it under the AO interpreters

1 of the United States Courts under the Rules of the United
2 States Code -- under the United States Code, it says the
3 judicial officer, with the assistance of the Director of the
4 Administrative Office of the United States Court shall utilize
5 the services of the most available certified interpreter.

6 Or when no certified interpreter is reasonably
7 available as determined by the presiding officer, the services
8 of another qualified interpreter in judicial proceedings --
9 this is by the United States, if the presiding official
10 determines in her -- determines on such officer's own motion,
11 or on the motion of the parties that such party, including the
12 defendant or witness in this case who may present testimony in
13 such judicial proceeding speaks only or primarily a language
14 other than the English language.

15 That's what it says.

16 MR. WRIGHT: Your Honor --

17 THE COURT: But you never told me that there was
18 going to be somebody interpreting English.

19 MR. WRIGHT: Your Honor, if I may, we have an
20 individual here who --

21 THE COURT: I mean, I'm upset because this is a
22 four-week trial, and we can end up -- we could end up with a
23 -- with a reversal in this trial that's unnecessary.

24 MR. WRIGHT: If I may, Your Honor. Let me cite two
25 things to that. One is with regard to Court certification.

1 Mr. Ibeagha is outside, and he's the one who asked Mr.
2 Sheriff, who is in fact working for him. Mr. Ibeagha, it's my
3 understanding --

4 THE COURT: Who's Mr. Ibeagha?

5 MR. WRIGHT: He's outside, he -- Anthony Ibeagha,
6 and --

7 THE COURT: Who is he? I mean, what's -- I don't
8 know what -- who --

9 MR. WRIGHT: He is an interpreter.

10 THE COURT: Is that the person that's going to be
11 interpreting?

12 MR. WRIGHT: He is -- no, he can be, yes, he can be,
13 but Mr. Sheriff works for him. And we had more than one,
14 because it's -- as you know, it's going to be an arduous task.

15 THE COURT: I understand.

16 MR. WRIGHT: Mr. Ibeagha, it's my understanding, has
17 a health issue, and so as a result he has help. But I can
18 suggest to you -- and that he is Court certified, and the
19 reason is, is that it is in fact a dialect that is not --

20 THE COURT: He's not Court certified. That I've
21 checked. So he's not Court certified. Whether he has to be
22 Court certified, I think that that's a very good observation.

23 MR. WRIGHT: Well Anthony Ibeagha is here, and I'm
24 not sure that anyone knew his name so they could ask him about
25 his certifications. If you could come up, please, and advise

1 the Court about your qualifications and any Court
2 certifications that you have?

3 THE COURT: All right. Why don't you go to the
4 microphone.

5 MR. WRIGHT: Right here.

6 THE COURT: Good morning.

7 MR. IBEAGHA: Good morning. I've --

8 THE COURT: It's nothing to do -- are you the one
9 who will be doing the interpreting?

10 MR. IBEAGHA: I'm in charge, I'm the lead
11 interpreter, and I do have other interpreters that --

12 THE COURT: Well who's going to be interpreting
13 today?

14 MR. IBEAGHA: Both of us. We take turns.

15 THE COURT: Well why don't you bring the other
16 person in too. But I -- I notice Mr. Rucker in the courtroom,
17 who is from the Department of Justice who works on these kind
18 of cases, and I wonder if this has arisen before. Why don't
19 you come up, Mr. Rucker, so I can talk with you. Just as an
20 advisor. No, come up here, sir, I'll have a sidebar with you.

21 (Sidebar conference)

22 THE COURT: You don't have to -- no, I'm just having
23 a conversation with Mr. Rucker. Let's put it on the record,
24 so there's no -- do you mind being on the record?

25 MR. RUCKER: No.

1 THE COURT: Do you have this often where they never
2 tell the defense counsel?

3 MR. RUCKER: I never -- I haven't heard anything
4 about interpretation. Interpreters.

5 THE COURT: For English? Did you observe --

6 MR. RUCKER: I think it's beyond my scope.

7 THE COURT: Okay.

8 MR. RUCKER: Yeah.

9 THE COURT: All right. Did you -- were you up in
10 Judge Diamond's courtroom --

11 MR. RUCKER: Not recently.

12 THE COURT: Not for that trial?

13 MR. RUCKER: No, no.

14 THE COURT: I appreciate your being here, you know
15 that.

16 MR. RUCKER: No problem.

17 THE COURT: Okay. So you can't be helpful on this
18 issue?

19 MR. RUCKER: Not this particular issue, Your Honor.
20 I'm sorry.

21 THE COURT: No. Come on, Mr. Rucker, come on.

22 MR. RUCKER: But just so you know, Your Honor, your
23 incoming law clerk is -- is ready to be here.

24 THE COURT: I know that. I know, that's great.

25 (Sidebar done)

1 THE COURT: Okay. All right, do you want to ask
2 some questions, Mr. Wright, and then we'll have the defense
3 ask some questions?

4 MR. THAYER: Oh, certainly. If I may, Your Honor.

5 MR. WILSON: Your Honor, could we go one at a time,
6 it might be a little easier.

7 THE COURT: Yes, we'll do one at a time. Oh, you
8 mean let the other person out of the courtroom --

9 MR. WILSON: Yes, Your Honor.

10 THE COURT: Okay. Would you -- just step out a
11 minute and then we'll get you back in.

12 MR. WRIGHT: Would you prefer to have him on the
13 witness stand? Does it matter, Your Honor?

14 THE COURT: I don't care. At this stage we can
15 swear him in if you want. I don't think it's necessary, but
16 you can -- yes, why don't we take all precautions. You can
17 swear him in.

18 THE CLERK: Sure. Please raise your right hand.

19 ANTHONY IBEAGHA, INTERPRETER, SWORN

20 THE CLERK: Thank you.

21 DIRECT EXAMINATION

22 BY MR. WRIGHT:

23 Q Will you state your name, spelling your last name,
24 please?

25 A My name is Anthony Ibeagha. Ibeagha is I-B-E-A-G-H-A.

1 Q And tell us about your educational background.

2 A I went to primary school in Cameroon, which is in West
3 Africa. I went to secondary school (inaudible) College
4 college in Cameroon, again, in the northern province. And
5 then I went to high school in Buea, and then went to
6 university, the University of Port Harcourt in Nigeria.

7 THE COURT: In Nigeria, so you're Nigerian?

8 THE WITNESS: Yes, I'm Nigerian.

9 THE COURT: Okay.

10 BY MR. THAYER:

11 Q Are you an American citizen?

12 A I'm American citizen.

13 THE COURT: Yes. Well I don't care. I just
14 wondered whether you -- in other words, you were trained in
15 the Nigerian language.

16 THE WITNESS: That's correct.

17 THE COURT: Okay.

18 THE WITNESS: I was also -- let me go ahead with the
19 education. And then I went to University of Port Harcourt.
20 where I did a bachelors degree in foreign languages, and then
21 did an entry of master, master of philosophy in languages and
22 literatures.

23 THE COURT: And was -- did you -- okay. All right.
24 I'll let the other side cross-examine, I'm not going to
25 cross-examine you. Go on.

1 BY MR. WRIGHT:

2 Q All right. Now with regard to your work experience, will
3 you tell us about that, your work history as an interpreter?

4 A Sure. Previously work qualified me as an interpreters.
5 I -- I specialized in languages, French, local languages in
6 West Africa and countries. In mostly Africa's regions in
7 Africa Southern Sahara. So I speak a lot of -- I speak
8 Creole, Liberian English, English, German English, German
9 Creole, Igbo, and a few other local languages in -- in the
10 region.

11 THE COURT: Well what language is this?

12 THE WITNESS: This is Liberian English.

13 THE COURT: Liberian English?

14 THE WITNESS: Yes.

15 THE COURT: And -- okay. Go on.

16 BY MR. WRIGHT:

17 Q Now with regard to -- I'm sorry, do you have anything
18 else that you want to say?

19 A Yeah. So when I graduated from the University of Port
20 Harcourt, after my first degree, I was retained the same year,
21 ninety-two, to become a lecturer. So I was a professor in
22 French for the entire faculty for -- this was for about two or
23 three years. I went on to do my entry of masters -- master of
24 philosophy in languages and literatures.

25 This is general and comparative literature. And

1 then after that, I went to Germany, Frankfort, and studied
2 German for a couple of months.

3 THE COURT: Well this is all interesting, but let's
4 see if we can walk -- cut through it.

5 BY MR. WRIGHT:

6 Q Now when you -- did there come a time that you came to
7 the United States?

8 A Yes. Yeah, I came to the United States I think 14 years
9 ago.

10 Q And in relationship to your time here in the United
11 States, have you had occasion to interpret in Federal District
12 Court before?

13 A Yes. Several. I've interpreted in several courts.

14 THE COURT: What language? For whom? For
15 Liberians?

16 THE WITNESS: Yes. I interpreted for Liberians. I
17 provided Chuckie Taylor case in Miami. That's how they found
18 me. I got registered in --

19 THE COURT: Well did anyone challenge whether or not
20 you -- whether or not you were qualified to testify in
21 English?

22 THE WITNESS: Nobody did.

23 THE COURT: Nobody ever asked you?

24 THE WITNESS: No.

25 THE COURT: All right. And has anybody ever -- is

1 there some certifying process that you went through that -- in
2 other words, you just testified instead of the witness, is
3 that right? When the witness spoke English, we won't hear the
4 witness. will we? Or, we'll hear the witness?

5 MR. WRIGHT: Well you'll hear -- Your Honor,
6 ordinarily you hear the interpreter.

7 THE COURT: Not the witness?

8 MR. WRIGHT: Right.

9 THE COURT: At all?

10 THE WITNESS: At all.

11 MR. WRIGHT: Well you can -- you can hear it, it
12 would just be like a Spanish to English interpretation.

13 THE WITNESS: Right. Traditionally, the -- we would
14 sit over there with the witness, the witness goes to the box,
15 we have the remote earphones. And the witness speaks into the
16 earphones, and we interpret it. The Court never hears what
17 they're saying.

18 THE COURT: All right. Now there are other people
19 who are going to testify in this Court, apparently. Are the
20 other -- and somebody else works for you, is that it? I mean,
21 I'm very concerned about this --

22 THE WITNESS: Yes.

23 THE COURT: -- this is something that's really
24 concerning me. Because somebody's speaking English,
25 supposedly, and you're going to tell us what the English is.

1 THE WITNESS: Your Honor, may I give you just as an
2 example. You may say, what are you doing there? Now that's
3 -- this is regular English, but if you want to say it in
4 Liberian English, you say, why you do that? It's a little bit
5 different, but it's the same --

6 THE COURT: What are they going to say in Liberian?
7 What are they going to say in Liberian?

8 THE WITNESS: Why you do that?

9 THE COURT: In Liberian English -- how is she going
10 to testify? You're going to ask her a question --

11 THE WITNESS: Yeah, the counsel will ask the
12 question. I will interpret the question.

13 THE COURT: No, I want to know what she will say.
14 Let's give an example. How long have you lived in the United
15 States? I -- counsel asks that, she will answer it. I've
16 lived in the United States for 25 years. And what would you
17 say?

18 THE WITNESS: The counsel will ask the question.

19 THE COURT: And what would she say?

20 THE WITNESS: I would interpret to the --

21 THE COURT: No, I'm not asking you what you would
22 do. I'm asking you what I would do. I'm asking you whether
23 or not -- what -- if you ask -- suppose the answer was 25
24 years. I've lived in the United States for 25 years. What
25 would you expect her to say in Liberian English?

1 THE WITNESS: Twenty-five year.

2 THE COURT: Oh, you would?

3 THE WITNESS: Twenty-five year.

4 THE COURT: What?

5 THE WITNESS: Twenty-five year.

6 THE COURT: Twenty-five years. Okay.

7 THE WITNESS: No, she would say twenty-five year.

8 THE COURT: Okay. That's okay. I understand that.

9 THE WITNESS: And then I would turn around and say
10 twenty-five years.

11 THE COURT: If that's going to happen, I have no
12 problem with it. So it's just a matter of making it more
13 clear if she --

14 THE WITNESS: Clear.

15 THE COURT: -- if she says something that I can't
16 quite understand. Now that is -- but I want her to testify.
17 Not you. I want her to testify. You're not going to answer
18 the question -- is she going to answer questions?

19 THE WITNESS: Yes, she answers the question, my job
20 is to say exactly what she said, or what she says in her
21 language.

22 THE COURT: But you're not going to ask him the
23 questions, are you?

24 THE WITNESS: No.

25 THE COURT: Were you planning to ask him the

1 quest -

2 THE WITNESS: No.

3 MR. WRIGHT: No, we ask -- well I'd like to ask him
4 some more questions now with the Court's permission. But when
5 we're on the -- when the witness is there, no we'd ask the
6 witness a question.

7 THE COURT: And would the witness answer the
8 question?

9 MR. WRIGHT: The witness will --

10 THE WITNESS: Answer --

11 MR. WRIGHT: -- it would be interpreted for the
12 witness.

13 THE COURT: No, I want to know whether the witness
14 will answer the question.

15 THE WITNESS: Your Honor --

16 MR. WRIGHT: The witness will answer the question as
17 it is interpreted to her.

18 THE COURT: No, I want her to answer the question in
19 -- so we can move on, so if there's any question about this in
20 the future, I want her to answer the question, and then he can
21 tell us what she said.

22 MR. WRIGHT: We can certainly -- Your Honor,
23 certainly is in charge.

24 THE COURT: That's -- I'm willing to do that, so
25 that if there's an appeal, you can go through it and see

1 whether or not this is accurate. But I'm not allowing him to
2 tell -- you ask it in English, he -- she answers it, and then
3 he answers with you in English. That won't work.

4 MR. WRIGHT: Your Honor, if I could, very
5 respectfully, be heard?

6 THE COURT: Yes.

7 MR. WRIGHT: There are circumstances, because the
8 language is, despite the fact that it's Liberian English and
9 there's American English and they're different dialects, there
10 are circumstances where the witness simply will not understand
11 the American English. And we would not understand at all --

12 THE COURT: Oh, well she's not understanding -- one
13 second.

14 MR. WRIGHT: Because it's patois --

15 THE COURT: Would she understand American English?

16 THE WITNESS: Not really. She -- she'll -- they
17 will get bits and pieces of what you're trying to say. But
18 the structure of the language, for example, you say what are
19 the consequences of relocating from Chicago to Philadelphia?
20 She would not really understand that.

21 THE COURT: Well then what we will do is, she can
22 answer the question. You -- let her try to answer it. If she
23 can't answer it, you give her whatever you think that she --
24 that she's going understanding in her language, and then she
25 can answer it in your language -- in her language, the jury

1 can hear it, and you will then translate it and say, this is
2 what she said.

3 THE WITNESS: Yeah. Judge, that works as well, Your
4 Honor.

5 THE COURT: Okay. Are you willing to go along with
6 that?

7 MR. WILSON: Your Honor, may I have a few questions?

8 THE COURT: Of course.

9 THE WITNESS: Sure.

10 THE COURT: Of course.

11 MR. WILSON: Was Mr. Wright finished with his
12 questions?

13 MR. WRIGHT: I wasn't finished --

14 THE COURT: What else would you like to ask? I'm
15 annoyed, because you haven't told anybody about this, Mr.
16 Wright. You know why I'm annoyed. So go on.

17 MR. WRIGHT: Well --

18 THE COURT: This is not in front of a jury, this is
19 just in Court. I mean, they were given nothing. It took you
20 years, and years and --

21 MR. WRIGHT: Your Honor, every ROI in fact says that
22 there was somebody who will interpret. And that's because we
23 couldn't understand the witnesses. You can sit next to some
24 of the witnesses --

25 THE COURT: All right.

1 MR. WRIGHT: -- and they're speaking English, and
2 you can't understand what they're saying.

3 THE COURT: Are any of the wit -- can any of these
4 witnesses speak so that I would under -- so that the jury
5 would understand them?

6 MR. WRIGHT: Some of them can, some of them can't.

7 THE COURT: Well then why don't you put somebody on
8 who will, for now, and then we'll get the translator in and
9 we'll get this whole thing resolved. And we'll look up the
10 law, which I haven't had much of a chance to do, and we'll
11 see. Is there another -- is there a witness that you can put
12 on now that will be able to under --

13 MR. WRIGHT: Perhaps this one would be the best one,
14 it goes downhill a lot from there.

15 THE COURT: Oh, good.

16 MR. WRIGHT: If I may, Your Honor, just to make two
17 observations.

18 THE COURT: Yes.

19 MR. WRIGHT: The interpreter has in fact done this
20 before. He's done it not only here, but in Miami --

21 THE COURT: I don't care. Don't you understand that
22 that's lovely. He may be doing it wrong, how do I know?

23 MR. WRIGHT: Well I suggest to the Court that he
24 takes an oath too, and then he'll stand by his oath and he's
25 not -- and it's his livelihood, it's what he does for a

1 living.

2 THE COURT: All right.

3 MR. WRIGHT: And you're not going to put somebody up
4 and he's going to swear that he's going to give you a fair and
5 honest interpretation, and he's not going to do that. Now I
6 can suggest to the Court that this was a problem in another
7 matter in this Court. So I know the Court isn't bound by that
8 in any way, shape or form, I understand, but it is experience.
9 And it was my understanding that the Clerk's Office in fact
10 reached out in order to try to find someone who was proficient
11 in the West African dialect.

12 THE COURT: When did you tell the other Court about
13 it? And I want to know when you reviewed this -- this has
14 been going on, we never knew anything.

15 MR. WRIGHT: Well the other Court knew about it
16 pretrial. They knew about it pretrial.

17 THE COURT: You knew about it pretrial?

18 MS. HENRY: No, no.

19 MR. WILSON: No, Your Honor. We saw -- we did see
20 interpreter on these ROIs. But it didn't say -- it didn't say
21 that they were interpreting English to English. We assumed it
22 was some dialect other than English that was being
23 interpreted. And that that was what was going to happen here.
24 And we assumed also that when that interpreter walked up, that
25 that was somebody who Mr. Bowman's office had produced. The

1 Clerk's Office had produced, not somebody who the Government
2 has been paying to help them out on the case.

3 MR. WRIGHT: Your Honor, if I could -- if I could
4 finish?

5 THE COURT: Yes.

6 MR. WRIGHT: Let me say two things to that. Number
7 one, in our prior experience the Clerk's Office did in fact
8 try to find someone who had an expertise in West African
9 dialect, and couldn't do it. And the Court can check on that.

10 THE COURT: I've been trying to find the person
11 who's in charge. I haven't been able to.

12 MR. WRIGHT: And that was one -- and that was one
13 matter. And, moreover, I want the Court to understand that it
14 was an English dialect to American English, Liberian English
15 to American English. But I can assure the Court that if we
16 could understand what was being said as we sat there in
17 Monrovia, or wherever we were, primarily in Liberia in the
18 bush, and in Monrovia, that we would not have had an
19 interpreter there, if we could sit there and understand what
20 these people were telling us.

21 And the reality is, is that the accents are so
22 thick, and there's such a difference in wording in many
23 instances, that the American ear can't understand it. And
24 I'll take an oath and say that I had -- I'll get up on the
25 witness stand and be examined. I've sat next to numerous

1 scores of potential Liberian witnesses five times in Liberia,
2 and I can sit next to people and not understand what they are
3 saying, and they're speaking English, an English dialect.

4 THE COURT: All right. Let's -- why don't you
5 examine, and I have another possible suggestion.

6 CROSS-EXAMINATION

7 BY MR. WILSON:

8 Q Sir, in the Chuckie Taylor trial that you --

9 A Yes.

10 Q -- referred to in -- and just so that it's clear for the
11 record, that's the son of Charles Taylor?

12 A That's correct.

13 Q And he was tried in Miami, correct, in Federal District
14 Court?

15 A That's correct.

16 Q Were you paid by the Court, or paid by the Government for
17 that interpretation?

18 A I was paid -- I was paid by the Government.

19 Q Okay. And --

20 A And I -- I interpreted for both -- both sides.

21 Q Okay. And when you say paid by the Government, that's by
22 the U.S. Attorney's Office in -- in Miami, or by the Court?

23 A It was the Federal Government check.

24 THE COURT: So you don't know who it was?

25 THE WITNESS: No, no, it's --

1 BY MR. WILSON:

2 Q You don't know who issued the check?

3 A I'm not sure what budget it came from. But it was a
4 Federal Government check. As I've done in four other cases.

5 Q In the -- where else have you interpreted in Federal
6 District Court?

7 A In Indiana. In the United States in Indiana. In
8 Illinois.

9 THE COURT: About this language, please.

10 THE WITNESS: A lot -- a lot of cases in Illinois.

11 BY MR. WILSON:

12 Q Okay. But specifically in translating from an English
13 dialect into the English dialect that is spoken in this part
14 of the country?

15 A Yes. So Chuckie Taylor case was one of them, that was
16 Creole, which is, again, another broken English. The case in
17 Miami -- I beg your pardon, in Orlando, in Florida, that was
18 another broken English, but on a Nigerian local broken
19 English. And then the case -- let me see -- in Indiana, it
20 was a broken French, so it's Guinean. And of course a tax
21 fraud case.

22 Q Okay. But that was a French dialect?

23 A It's all broken English. Yes. So there are different
24 dialects. And all the broken, you know, the -- the local
25 variations of the major language, there is a variation of

1 German, English or French.

2 Q Okay. Now in -- in those cases, was it the Clerk's
3 Office of the Court that reached out to you to procure your
4 services in testifying at any of those trials?

5 A Yes. This is how I normally get contacted. The Court
6 sends out, you know, a message, they're looking for an
7 interpreter who's -- who -- an expert in this language. They
8 can't find any. So I get a call from the Chicago, the Federal
9 Court in Chicago, they call me and they say, hey, there's an
10 assignment here or there, and I say what language? And they
11 tell me what it is. They have my expertise, they have my
12 resume, and I go -- they put me in touch with whoever is out
13 there, and we make an agreement and that's it.

14 So then I always get a check from the Federal
15 Government.

16 Q So, and you run a service, sir, that where you employ, or
17 at least on a part-time basis you employ other interpreters?

18 A That's correct.

19 Q And do you test them, or do -- does the Court test them?

20 A I test them. I train them. Actually, I train
21 interpreters that work with me, depending on the language. So
22 if it's a language that I'm not proficient in, I don't take it
23 anyway. So I only take the languages I'm proficient in and
24 that I can train people. So I train them for two, three weeks
25 before on the specific subject.

1 Q And the gentleman who was just standing next to you
2 earlier, do you employ him full-time?

3 A Part-time.

4 Q Okay. Did you just hire him for this case?

5 A No. We've done -- we just did a case here not too long
6 ago last year, November.

7 Q Okay. Other than that had you hired him for any case?

8 A No. I've trained him previous, before that case, about
9 two or three weeks before. And then we came on that case.

10 Q Okay. And how did you come to be -- to know about that
11 gentleman?

12 A Okay. So during the last trial, prior to the trial,
13 preparing, you know, testimonies and all that, I had to do
14 some transcriptions of recorded -- prison recorded voice. So
15 I needed to find specialties in the different languages.
16 Mandingo, Krahn, and so on and so forth. Yeah. So I found
17 them in -- of course I went to the database, the Federal
18 Government database, found a couple of people in Minnesota,
19 and I went and we did the work out there.

20 Now I needed someone who spoke Liberian English in
21 Philadelphia, so I don't have to move my people from Chicago
22 out here. And he was recommended by someone else.

23 Q By whom?

24 A One of the people who worked in my project.

25 THE COURT: Worked for what?

1 THE WITNESS: Who worked in one of my projects.
2 Yeah. His name was Tunis (phonetic).

3 BY MR. WILSON:

4 Q And -- I lost my question.

5 MR. WILSON: I apologize, Your Honor.

6 BY MR. WILSON:

7 Q Do you have people in Chicago who --

8 A I have people at --

9 Q -- who have -- who do Liberian English?

10 A Yes, I have one person in Chicago who does Liberian
11 English. I have one person in Minnesota who does Liberian --
12 actually two people in Minnesota who does Liberian English.

13 Q Have those people ever been hired by the Clerks Office of
14 the Court --

15 A Yes. They're hired in local courts. No, not in the
16 Federal Court.

17 Q But in local courts?

18 A Yes.

19 Q By whatever Court official in those local courts --

20 A Yes. They're all independents, you know, I call on them
21 when I have an assignment if it's something I can't do alone,
22 I call on them.

23 THE COURT: Okay.

24 MR. WILSON: I don't think I have any further
25 questions on this issue.

1 REDIRECT EXAMINATION

2 BY MR. THAYER:

3 Q Have you yourself been working in the preparation of any
4 of these witnesses for their testimony?

5 A Yes.

6 Q And how long have you been doing that?

7 A For three days, and from the second -- I interpreted
8 doing the prep. So that's it.

9 Q And that was at the request of the Prosecutor's Office,
10 correct?

11 A That's correct.

12 THE COURT: Okay.

13 THE WITNESS: I might have mentioned in the Chuckie
14 Taylor case I interpreted for both sides. I did preps for
15 both sides. So it's -- if they ask, I offer it. But I --

16 BY MR. THAYER:

17 Q And then the -- and then the Clerk of the Courts procured
18 your presence for interpretation in Court?

19 A Well they -- I don't know if it was the Court Clerk, but
20 I was contacted by the Government side and they -- they
21 requested -- they requested for my services, and also told me
22 if the other side wants you to, you know, interpret for them,
23 please do so. And I was available. So --

24 THE COURT: All right. Let's get the other wit --
25 let's get his assistant in.

1 MR. THAYER: Thank you, Your Honor.

2 THE COURT: Okay? Thank you.

3 MR. WRIGHT: Your Honor, if I may just advise the
4 Court on the record, that when we were preparing a prior case,
5 and we knew that we would not be able to understand the
6 witnesses, I called Karen Rochlin who's a prosecutor in Miami,
7 who's one of the two prosecutors in the Chuckie Taylor case,
8 and simply said, well, do you know of an interpreter?

9 Because we didn't know anybody. And they said yes.
10 Mr. Anthony Ibeagha in Evanston, Illinois -- or Chicago, and
11 we were in Evanston on another matter and he came to talk to
12 us. And we, you know, he was proficient and we looked at his
13 credentials. And at that point we said, well, look we have a
14 trial, and we don't know of anyone in the Philadelphia area
15 who is --

16 THE COURT: That's fine. The only thing --

17 MR. WRIGHT: -- and this is what we did, Your Honor.

18 THE COURT: What you don't understand is, I'm the
19 judiciary.

20 MR. WRIGHT: Yes, Your Honor.

21 THE COURT: And I believe, and I've always believed
22 that even in a criminal trial there are two sides.

23 MR. WRIGHT: Yes.

24 THE COURT: Right? And, therefore, just the fact
25 that you found him, is lovely and wonderful. But the other

1 side has to have the same opportunity, and maybe this is
2 terribly advanced of me, but I've been a lawyer for now 60
3 years, and that's what my philosophy has always been.

4 So I don't understand why the other side hasn't been
5 advised about it. Let's go find the -- let's ask your -- you
6 can stay here, but let's ask the -- ask your associate, your
7 employee, or your temporary employee to come in.

8 THE WITNESS: Okay.

9 THE COURT: Okay. Thank you. You can sit down. I
10 don't want you standing. Okay. I'm just going to have
11 cross-examination on it, because I know what -- well unless
12 you want -- do you want to do direct? Okay. Why don't you do
13 cross, and let's see what we can do.

14 MR. WILSON: Thank you.

15 Sir, I apologize. I didn't -- prior to when you
16 announced your name prior to --

17 THE COURT: Why don't you -- yes, why don't you get
18 sworn in.

19 THE CLERK: He was sworn in as an interpreter, not
20 as a witness.

21 THE COURT: Why don't you --

22 THE CLERK: Raise your right hand, sir.

23 ABDULLAH SHERIFF, GOVERNMENT WITNESS SWORN

24 THE CLERK: Thank you.

25 CROSS-EXAMINATION

1 BY MR. WILSON:

2 Q And what is your name, sir?

3 A Abdullah Sheriff.

4 Q And, sir, how long have you been in the United States?

5 A Since ninety-eight to present.

6 Q Prior to that, where did you live?

7 A Guinea, Conakry, as a refugee.

8 MR. WILSON: A phone's ringing, Your Honor.

9 BY MR. WILSON:

10 Q So when you say as a refugee Conakry, Guinea was a place
11 where a lot of refugees from Liberia ended up, correct?

12 A Yes.

13 Q And specifically Mandingo refugees, correct?

14 A There were all mix.

15 Q Okay. The -- what year did you leave Liberia?

16 A 1990 -- April.

17 Q April 1990?

18 A Yes.

19 Q And how old were you at that point?

20 A Probably 14 years old.

21 Q When -- how long were you in the refugee camp in Liberia?

22 A From 1992 to 1998.

23 Q Before -- so between April of 1990 and when you arrived
24 in the refugee camp in 1992, where were you living?

25 A I was in my village called Baka.

1 Q Is that in Liberia?

2 A Grand Cape Mount County, yes.

3 Q Okay. But you indicated that you left Liberia in April
4 of 1990.

5 A I left Monrovia in 1990, and went to the village.

6 Q Okay. So Monrovia you left in 1990, and you went to
7 Baka?

8 A Yes.

9 Q And you were in Baka, in what county?

10 A Grand Cape Mount County.

11 Q And in --

12 A Porkpa District.

13 Q Okay. So you were near the --

14 A The border with Sierra Leone.

15 Q -- border with Sierra Leone?

16 A Yes.

17 Q And you stayed there until 1992 when you went to Guinea?

18 A Yes.

19 Q Sir, you've been working with the Government in helping
20 to prepare witnesses for this case?

21 A Yes.

22 Q How long have you been doing that?

23 A This is my second year.

24 Q So how -- approximately how much have you been paid so
25 far for -- by the Prosecutor's Office for helping with

1 preparation of witnesses?

2 A I do not work for the Prosecution office, I work for a
3 private company.

4 Q Okay. So you -- you work for Mr. Ibeagha who was here
5 earlier?

6 A Yes.

7 Q Okay. And he's paid you, correct?

8 A Yes.

9 Q Do you know where his -- where the money that he pays you
10 has come from?

11 A No.

12 Q How many -- do you know how many hours you have spent in
13 helping to prepare witnesses for the Government?

14 A On this case?

15 MR. WRIGHT: Your Honor, if I may simply object,
16 because he did work on a prior case. So when you say the
17 Government, we want to make sure you're talking about this
18 case, as opposed to the prior case.

19 THE COURT: That's fair enough. Sure.

20 MR. WILSON: Well I would ask specifically for this
21 case second, but I would want to know overall, Your Honor.

22 THE COURT: All right. Let's move on to --

23 BY MR. WILSON:

24 Q So how many -- how many hours do you think you've put in
25 on this particular case?

1 A I haven't checked my hours, because it varies.

2 Q But between -- is it between 10 and 20 hours, is it more
3 than 20 hours?

4 A More than 20 hours.

5 Q Is it more than 50 hours?

6 A No.

7 Q And how many days do you think you have spent, portions
8 of days have you spent working on this case?

9 A This is the second week.

10 Q And have you -- have you traveled at all --

11 A No.

12 Q -- to work on this case?

13 A No.

14 Q How many different witnesses have you worked with in the
15 preparation of testimony for this case?

16 A Almost everybody.

17 MR. WILSON: I have no further questions, Your
18 Honor.

19 THE COURT: You have no more questions?

20 MR. WILSON: No more questions, at this point.

21 THE COURT: You don't want to -- you don't want to
22 know why he left --

23 MR. WILSON: Well I -- if Your Honor wants me, I can
24 -- I think I know.

25 THE COURT: Well there may be a prejudice. I mean

1 that's --

2 MR. WILSON: Okay.

3 BY MR. WILSON:

4 Q Sir, you left -- you identify as being from the Mandingo
5 tribe, correct?

6 A No.

7 Q What tribe do you identify?

8 A Mandi and Var (phonetic).

9 Q Mandi and Var?

10 A Yeah.

11 Q Okay. Do you consider yourself a Muslim?

12 A Yes.

13 Q And you've been practicing since you were a child?

14 A From birth.

15 Q And besides English, what other languages do you speak?

16 A I speak French, I speak Fula, I speak Susu, and a little
17 bit of Italian.

18 THE COURT: You don't have to ask anything else.

19 MR. WILSON: I have nothing further, Your Honor.

20 THE COURT: All right. Why don't you step back.

21 Let's -- you have a question?

22 MR. WRIGHT: Yes. Just a couple of quick questions,
23 Your Honor.

24 DIRECT EXAMINATION

25 BY MR. WRIGHT:

1 Q You just indicated in response to the counsel's
2 questioning that you are a Muslim and have been since birth?

3 A Yes.

4 Q Are you familiar with an individual named Jungle Jabba?

5 A Yes.

6 Q Did you participate in interpreting in -- in this -- not
7 in this courtroom, but in another courtroom, Federal District
8 Court, in that case?

9 A Yes.

10 Q Was the defendant to your knowledge a Mandingo?

11 A Yes.

12 Q Was the defendant a Muslim?

13 A Yes.

14 MR. WRIGHT: I don't have any further questions,
15 Your Honor.

16 MR. WILSON: I just have a couple of questions.

17 RECROSS EXAMINATION

18 BY MR. WILSON:

19 Q Sir, when you -- when you left your town, the village to
20 go to Sierra Leone, you were fleeing the fighting, correct?

21 A Yes.

22 Q Specifically which force were you fleeing?

23 A The NPFL when Operation Octopus happened, so we left and
24 we headed across into Sierra Leone.

25 MR. WILSON: Thank you.

1 THE COURT: Okay. Thank you. You want to step
2 back? You want -- what do you want me to do about this. Let
3 me hear from you. I'm not sure that I'm going to do anything.
4 But let's --

5 MR. WILSON: Your Honor, the -- Your Honor's already
6 identified the first issue, that we were not given notice of
7 this previously. And so we have not been able to go out and
8 see if we could get somebody who would sit in the courtroom
9 while these -- this testimony was given, to see if there's a
10 counter translation that might be offered.

11 When we do Spanish cases or -- in this courtroom or
12 in this courthouse, or other cases where Mr. Bowman procures
13 the individual who's going to do the interpretation, we know
14 pretty much -- we know the individuals who are coming in to
15 testify. We work with them. We know how much they can be
16 trusted. In this situation, we have no idea.

17 All we have is -- and the Court was not given a
18 opportunity under Rule 28 for the Court to appoint or choose
19 an interpreter, and then decide who was going to pay that
20 interpreter.

21 And that's the way Rule 28 is. Given that we're in
22 the middle of trial -- so we do have an objection to even
23 proceeding with these. But as an alternative, Your Honor, I
24 would stick by the proposal that I made that --

25 THE COURT: I think that's unfeasible. I think I

1 don't have a choice. I think -- I think that you certainly
2 have a right to -- to maintain an objection, but under the
3 circumstances, I'm going to have to let the -- the -- I
4 observed these men, I have no reason to believe that they are
5 not capable of testifying.

6 I think it's important to -- to I gave you a chance
7 to cross-examine, and I will take two minutes. I'll be back
8 on the Bench to let you know whether or not I'm going to let
9 them testify. Okay?

10 MR. WILSON: If I may just to -- the concern, Your
11 Honor, is that in helping to prepare the witnesses with the
12 Government attorneys, that these individuals could unwittingly
13 have --

14 THE COURT: That could happen any time you have a
15 translator.

16 MR. WILSON: I -- but -- but usually, Your Honor,
17 it's not somebody who has helped prepare the witnesses.
18 Sometimes it is, but not all the time.

19 THE COURT: Oh, of course it is, very often.

20 MR. WILSON: But if it's Mr. McConnie, or if it's --

21 THE COURT: Well, I know. But in fact you don't
22 always have that -- that luxury. Okay.

23 MR. WRIGHT: Your Honor, that was just simply a
24 resume.

25 THE COURT: Oh, okay.

1 MR. WRIGHT: That we provided. And with regard to
2 preparing witnesses, with regard -- for instance Mr. McConnie
3 who we think very highly of and we know.

4 THE COURT: Oh, yes.

5 MR. WRIGHT: We -- he is -- we have -- I have
6 prepared witnesses on innumerable occasions with Mr. McConnie
7 with Ms. -- and with Ms. Carmen Herrara (phonetic).

8 THE COURT: And this --

9 MR. WRIGHT: Over, and over, and over again.

10 THE COURT: -- this is Mr. Belfast's (sic) resume?

11 MR. WRIGHT: Mr. Ibeagha, Your Honor, who is --

12 THE COURT: Oh, Mr. Ibeagha. Okay.

13 MR. WRIGHT: Yes, Your Honor.

14 THE COURT: Okay. That was in another case. All
15 right. I do have some information on it now. Yes?

16 MR. WILSON: Just one other thing. We would ask
17 that the witness testify first, if Your Honor's going to allow
18 them to proceed with these interpreters, that the witness
19 testify first. If it is unclear what that witness is saying,
20 then the interpreter would be able to speak. But it not be
21 simultaneous translation, where we don't hear what -- or the
22 jury doesn't hear what the witness is saying.

23 THE COURT: I think that makes some sense. All
24 right. I'll be back on the Bench in two minutes. Five
25 minutes at the most.

1 (Court in recess 12:15 p.m. to 12:21 p.m.)

2 (Transcriber change)

3 THE COURT: Okay, I am going to let the witnesses
4 testify. Oh yes, please be seated. I am going to let the
5 witnesses testify, and there were some concerns I had. One of
6 them was that he was from the -- from a tribe that was opposed
7 to Mr. Woewiyu that it was not accurate, at least not one that
8 we -- we know about at this stage and that was number one.

9 Number two is he actually testified in a trial
10 upstairs where an opposing party to Mr. Woewiyu was on trial
11 and he seemed to have no reservations about testifying and I
12 think that the fact that he was allowed to testify in the --
13 in the last trial is an explanation for the Government as to
14 why he -- why they should not have informed the defense.

15 It's an explanation, but not really a justification
16 and I think they should have, but I'm going to let the trial
17 go forward anyway. So so be it.

18 MR. WILSON: And, Your Honor, the procedure by which
19 they do this --

20 THE COURT: They're going to testify the way they
21 had -- she is going to -- she will speak and he will then
22 translate it into English. That's all. No problem.

23 Okay, bring the witness in and let's bring the jury
24 in. Bring the witness in first.

25 (Pause in proceedings)

1 THE COURT: Do you want to bring the witness in
2 first? And the interpreter can step up here. You've been
3 sworn in, haven't you? Has the interpreter been sworn in?

4 COURTROOM DEPUTY: The interpreter, yes.

5 THE COURT: Okay.

6 MR. WILSON: And, Your Honor, can we just have it so
7 that the record is -- it's clear on the record what her
8 testimony -- what she says and then what the interpreter says?

9 THE COURT: Well as best we can. We can only get --

10 MR. WILSON: I understand.

11 THE COURT: -- whatever we can get, we can get.

12 MR. WILSON: I understand.

13 THE COURT: All right. Certainly the oral testimony
14 will be recorded, there's no question about that.

15 MS. WILLIAMS: That -- that's what we're asking for.

16 THE COURT: That's right, that's exactly right. I
17 have no problem -- yes, you can bring the jury in.

18 (Pause in proceedings)

19 THE COURT: You understand how we're going to do it,
20 she's going to speak so we'll get it down orally and then you
21 will interpret --

22 THE INTERPRETER: Yes.

23 THE COURT: -- okay? And then if he asks a question
24 and you want to interpret it, it's going to be recorded to her
25 of what you say to her in her language and it's going to be

1 recorded, okay?

2 THE INTERPRETER: Okay.

3 THE COURT: All right.

4 (Jury in, 12:25 p.m.)

5 THE COURT: All right, Jim, you're going to swear in
6 the witness and then he -- then he will, if she needs
7 interpretation, he will interpret, okay? And then you will
8 tell us the answer in English, okay?

9 THE INTERPRETER: Okay.

10 COURTROOM DEPUTY: Please raise your right hand.

11 THE INTERPRETER: Please raise your right hand.

12 THE COURT: No, no, you don't have to say anything.
13 It's just she, and then -- then you can. For this I think she
14 can be sworn in, she'll understand.

15 You tell me if you don't understand, okay?

16 JANET SOWO, GOVERNMENT'S WITNESS, SWORN

17 COURTROOM DEPUTY: Please be seated.

18 THE COURT: So you can ask her questions and then
19 if --

20 COURTROOM DEPUTY: Would you state and spell your
21 name for the record, please?

22 THE COURT: No, you have to say it out loud so we
23 can -- we can -- you have to say it out loud so we can take
24 down everything you say.

25 THE WITNESS: I am Janet Sowow.

1 COURTROOM DEPUTY: Spell your last name, please.

2 THE WITNESS: S-O-W-O.

3 THE COURT: That's fine. You say -- you answer the
4 questions, Ms. Sowu. You answer the questions.

5 THE WITNESS: Okay.

6 THE COURT: All right. Put the -- that closer to
7 her.

8 MR. THAYER: May I proceed, Your Honor?

9 THE COURT: Sure.

10 DIRECT EXAMINATION

11 BY MR. THAYER:

12 Q Good afternoon, ma'am.

13 A Good afternoon.

14 THE COURT: No, let her answer and then you can --
15 after she speaks, you can speak.

16 BY MR. THAYER:

17 Q The way we're going to be proceeding is if you can
18 understand what I am saying to you without an interpreter,
19 please go ahead and answer. If you need the interpreter, just
20 say so and he is here to help you. Is that okay?

21 A Okay.

22 Q All right. Ma'am, can you tell the members of the jury
23 how old you are?

24 A I'm 44 this year.

25 Q And where were you born?

- 1 A Bonga.
- 2 Q And where is Bonga?
- 3 A Bonga is in Bong County.
- 4 Q And is that in Liberia?
- 5 A Central Liberia.
- 6 Q And do you belong to any particular ethnic group?
- 7 A Yes.
- 8 Q And what is that group?
- 9 A Gbandi -- Gbandi Tribe.
- 10 Q I'm sorry?
- 11 A Gbandi.
- 12 Q Gbandi?
- 13 A Yes.
- 14 Q Okay. Did you grow up in Bonga?
- 15 A Not exactly.
- 16 Q Okay. Where did you grow up?
- 17 A In Lofa, Bonga, I went on one place.
- 18 Q And when you -- I think you said Lofa?
- 19 A Yeah.
- 20 Q Is that another county?
- 21 A Yes. There where my family from.
- 22 Q That's where your family is from?
- 23 A Yes.
- 24 Q Okay. Can you tell us a little bit about your education?
- 25 How far did you go in school?

1 A I'm a graduate -- a graduate of the University of
2 Liberia.

3 Q Okay. And where did you go to grammar school?

4 A Monrovia.

5 Q All right. Can you tell the members of the jury what you
6 do for a living now?

7 A I'm a businesswoman.

8 Q Where?

9 A I'm in between Bonga and Monrovia. I do business in
10 Bonga and in Monrovia.

11 Q And what kind of business is it?

12 A I got a shop -- run a mini shop.

13 Q What kind of a shop?

14 A Mini shop.

15 Q A mini shop?

16 A Yeah.

17 Q Is that the term?

18 A Hm-hmm.

19 Q Okay.

20 THE COURT: This is helpful. When she says
21 something that's not understandable, then you can come in, so
22 that's fine.

23 THE INTERPRETER: All right. Thank you.

24 BY MR. THAYER:

25 Q And can you just tell the members of the jury, what is

1 your degree in from the University of Liberia?

2 A I did business management.

3 Q All right. And what kind of things do you sell in your
4 mini shop? What kind of a shop is it?

5 A I sell a variety of goods. I sell rice, water, other
6 goods.

7 Q Okay. Now, do you have any children?

8 A Yes.

9 Q How many do you have?

10 A I have three.

11 Q How old are they?

12 A Amalas is 12, Allot 12, Alave 17, Agal 19(phonetic).

13 Q And where are they now?

14 A They are in Monrovia.

15 Q Ma'am, growing up did you have any brothers and sisters?

16 A Yes.

17 Q How many?

18 A I got two brothers, two sisters, including me.

19 Q And what are your sisters -- well what's your sister's
20 name?

21 A Ava Ameidia Bratisha (phonetic).

22 Q And how about your brothers?

23 A Allot Emmanuel Johnson (phonetic) and Iven Paye.

24 Q And you said somebody named Iven. What is Iven's last
25 name?

1 A Iven Paye.

2 Q And do you know how to spell that?

3 A P-A-Y-E.

4 Q Okay. I want to take you back to the Liberian Civil War.
5 At some point did you move away from Bonga?

6 A Yes.

7 Q Why did you move from Bonga?

8 A Because of the war.

9 Q What happened?

10 A Why I left from Bonga?

11 Q Yes, why did you leave from Bonga?

12 A I left from Bonga because of the war. We fled. We came
13 in Kakata.

14 Q I heard you say that you fled somewhere. Where did you
15 flee to?

16 A I move over to Kakata. From Bonga, I came over to
17 Kakata.

18 Q And what is Kakata?

19 A Kakata is in Margibi County.

20 Q And you said Margibi --

21 A Yeah.

22 Q -- County?

23 A Yes. Kakata is in Margibi.

24 Q And when you fled from Bonga, who did you flee with?

25 A I fled with Iven and my fiancé.

1 Q And when you moved and when you fled to Kakata, what did
2 you do to survive in Kakata?

3 A There where I started my business, started doing small,
4 small business to survive.

5 Q And what kind of business were you doing to survive?

6 A At that time I used to (inaudible). I go around, sell an
7 orange, sometime water. It was drinking water and there was
8 nothing -- a specific market to sell, anything you get, you
9 sell in order to make a living.

10 Q And where would you sell these goods? You said oranges
11 and water for example.

12 A What did he said?

13 THE INTERPRETER: What market you used to sell --

14 THE COURT: Say it aloud.

15 THE INTERPRETER: What market you used to sell your
16 merchandise.

17 THE WITNESS: Oh, I used to sell around so then when
18 I get an orange I carry it to the market or sometimes I put it
19 on my head and pass it around in Kakata.

20 THE COURT: You can translate.

21 THE INTERPRETER: I used to sell it around.

22 Sometime when I have oranges, I go around the town selling or
23 sometime in the market.

24 BY MR. THAYER:

25 Q Now, you told us about a brother, Iven, that fled with

1 you to Kakata. Was he older or younger than you?

2 A Iven is my little brother, my mother fourth child. I'm
3 older than him.

4 Q And when you fled to Kakata, do you remember how old you
5 were?

6 A I was 18.

7 Q And do you remember how old Iven was when you fled to
8 Kakata?

9 A Iven was like 12 years old. He was like 11 going on 12.
10 12 years.

11 Q And did Iven help you any way -- in any way when you were
12 in Kakata selling goods?

13 A Yeah. I always took him along with me all the time
14 because of the war. Everywhere I went I get market, I put
15 some on he head and we -- he and myself go to sell. We come
16 in the evening.

17 Q Now you -- I think I heard you say that you put things on
18 your head to sell. Can you tell us about that?

19 A Yeah, at time if I get an orange and the orange is not
20 enough I look for cool water, put some on Iven head. I take
21 some, and he and myself go around to sell.

22 Q And is carrying items on a person's head a traditional
23 way of -- of transporting things or carrying things in
24 Liberia?

25 A Yes.

1 Q And men do that too? They carry things on their head,
2 not just women?

3 A Yes.

4 Q Okay. When you moved to Kakata, who was in control of
5 that -- of that town?

6 A Kakata was controlled by NPFL soldiers.

7 Q And, ma'am, forgive me if I've asked you this but can you
8 tell the members of the jury your date of birth?

9 THE COURT: She said she was 44.

10 MR. THAYER: Thank you, Your Honor.

11 BY MR. THAYER:

12 Q And do you remember your exact date of birth?

13 A Yes. I was born 1974, October 20.

14 THE COURT: Do you want to translate that?

15 THE INTERPRETER: I was born 1974, October the 20th.

16 THE COURT: Okay.

17 BY MR. THAYER:

18 Q And during this period when you were selling goods in
19 Kakata with Iven, did you have -- did you see NPFL commanders
20 or officers coming in and out of that place?

21 A Yes.

22 Q Can you tell the jury the names of some of these NPFL
23 commanders or officers who you saw in Kakata?

24 A I saw Martina Johnson -- they all used to be in and out
25 -- Martina Johnson, one other fellow that they used to call

1 Peter Sepita (phonetic). And I saw Mr. Woewiyu one time and I
2 saw like -- many used to come -- Kakata is on the main road,
3 so be --

4 Q If I understood you correctly, Kakata lies on a main
5 road?

6 A Yes.

7 Q So these commanders would be coming in and out, --

8 A Yes.

9 Q -- is that correct?

10 A Yes.

11 Q Okay. And I think you said you saw Mr. Woewiyu on one
12 occasion when you were in Kakata, is that correct?

13 A Yes, yes.

14 Q How did you know that it was Mr. Woewiyu?

15 A Mr. Woewiyu, at the time he was like -- he was a big man.
16 When he come in the city, everyone would know. He was a big
17 -- he was a Defense Minister when he come. Anyway there was a
18 lot of bodyguards so you are curious to know oh, what happened
19 or that's a Defense Minister over there. I saw him once.

20 Q So is it fair to say that he came in with -- with an
21 entourage of bodyguards and somebody pointed him out to you?

22 MR. WILSON: Objection, Your Honor.

23 THE COURT: Oh, yes. Please restate that.

24 MR. THAYER: Yeah, I'll -- I'm just trying to move
25 it along, Judge.

1 BY MR. THAYER:

2 Q When you saw Tom Woewiyu that time in Kakata, how did you
3 become aware that it was Tom Woewiyu that you saw?

4 A I would like -- you know, I was selling and there was
5 like a little distance, but now someone told me that's the
6 Defense Minister there in the house, so yeah.

7 Q Okay. All right. So somebody told you --

8 A Yeah.

9 Q -- that that's the Defense Minister?

10 A Yeah, that was the Defense Minister.

11 Q All right. And were you able to get a good look at Tom
12 Woewiyu that time?

13 A I was far when I saw him --

14 Q Okay.

15 A -- yes, I was a distance but I saw him.

16 Q And before that time in Kakata, did you know who Tom
17 Woewiyu was?

18 A Yes, I knew that he was the Defense Minister (inaudible).

19 Q And how did you know that?

20 A Because he was always on air and people used to talk it
21 that he was the Defense Minister.

22 Q And when you say "he was always on air," what do you
23 mean?

24 A At time like 5:00, 3:00, during the war time we all used
25 to sit to listen to BBC. And at times they would say the

1 Defense Minister is speaking and they would call his name,
2 that's how I got to know that he was the Defense Minister.

3 Q All right. And we're talking about the BBC radio, is
4 that correct?

5 A Of course.

6 Q Okay. At some point did you and Iven leave Kakata?

7 A Yes, we left Kakata when the audible (phonetic) started
8 when the -- they attack Kakata. That's how we fled Kakata.

9 THE COURT: Do you want to translate what she said?

10 THE INTERPRETER: When audible war broke out and we
11 fled Kakata, that's how we left Kakata.

12 THE COURT: Okay.

13 BY MR. THAYER:

14 Q You referred to -- to Octopus. What do you remember
15 octopus being? When you say Octopus, what are you talking
16 about, ma'am?

17 A What he trying to --

18 THE INTERPRETER: What are you trying to say?

19 BY MR. THAYER:

20 Q You said that you fled when Octopus happened. What was
21 Octopus?

22 THE COURT: You can translate.

23 THE INTERPRETER: You say you left when Octopus
24 happened --

25 THE COURT: No, loud, so we can -- so that we can

1 take it down.

2 THE INTERPRETER: You say you left when Octopus
3 happened, so what was Octopus? What kind of war was it?

4 THE WITNESS: Oh. Octopus was like the war the war
5 that -- that it came from every part of the country, all over,
6 everywhere they were fighting. I had to fight the attacker
7 from the back, that's how we fled.

8 THE INTERPRETER: Octopus was like the war that came
9 from all over every corner of country. It wasn't in one
10 location. So that's how we fled from Kakata.

11 BY MR. THAYER:

12 Q And where did you go?

13 A We went in the bush.

14 Q Did you go anywhere in particular in the bush? Did the
15 place have a name?

16 A Yes. We went Gibi (phonetic) in the bush in the village.

17 Q And to get to that village, did you have to pass through
18 any checkpoints or were you just running through the bush?

19 A Yes, we pass through a checkpoint they had on Bolola
20 (phonetic) Road. That's a checkpoint where there -- we cross
21 the checkpoint and we continue to the village -- we went to
22 our village.

23 Q And the checkpoint I think you just said was Bolola?

24 A Yeah, the checkpoint on Bolola Road -- Bolola Road.

25 Q And can you describe that checkpoint at that time, ma'am?

1 Who was -- and I'll make it a little clearer -- who controlled
2 that checkpoint?

3 A NPFL. NPFL soldiers.

4 Q And were those soldiers at that checkpoint all adults?

5 A No, there were children. One minute there were adult,
6 one minute -- quite a lot -- there were many children --
7 children (inaudible).

8 Q And were those children -- those child soldiers armed?

9 A Everyone of them had arm because there was war going on.

10 Q And what kind of weapons did they have that you saw?

11 A The normal I saw was AK-47.

12 Q And you saw child soldiers carrying AK-47s, is that what
13 you're telling us?

14 A Yes.

15 Q Please tell the members of the jury how you survived in
16 the bush, what did you do?

17 A I continued on my trail. We survive like plantain,
18 cassava, we go on our side so we had to get rest. We buy
19 plantain, we buy cassava. We bring it on lonely road -- a
20 lonely road where people would come from the villages, come on
21 the road to bring a goods to sell and then buy (inaudible) and
22 then get back in the village.

23 Q Okay, let me break that down just a little bit. So if I
24 understand you correctly, you were finding things to sell, is
25 that right?

1 A Yes.

2 Q Okay. Can you tell the members of the jury what kinds of
3 things you were selling? What -- what items?

4 A Cassava, plantains (inaudible) and carry on the road to
5 market to sell.

6 Q All right. And if I understood you correctly you were
7 saying you were buying plantains and cassava? What's cassava?

8 THE INTERPRETER: Avocado.

9 THE COURT: Okay, that's all right.

10 BY MR. THAYER:

11 Q What's a plantain?

12 A What a plantain? A plantain.

13 THE INTERPRETER: A plantain is a banana like fruit.

14 MR. THAYER: Okay.

15 BY MR. THAYER:

16 Q And what does cassava look like? What kind of -- what is
17 it?

18 THE INTERPRETER: A cassava --

19 THE COURT: Say it loudly so --

20 THE INTERPRETER: How a cassava look like?

21 THE WITNESS: Cassava is what we get from the -- the
22 root of the cassava leaf. It's like a brown-looking like long
23 long. We take from cassave stick.

24 BY MR. THAYER:

25 Q So it's a kind of leaf?

1 A No, the leaf is cassava leaf. The cassava leaf -- the
2 fruit on it is what we call the cassava.

3 Q Okay.

4 A Yeah.

5 Q All right. And so it's a root that you use to -- what do
6 you do with it?

7 A I would buy it and carry it on the road to sell, Iven and
8 I. I would buy it, buy some put it on his head and take my
9 own and we go to the market and sell.

10 Q Okay. And what markets would you go to to sell your
11 goods?

12 A We used to go Konola market on the road. Konola was on
13 the road market. We used to go Konola.

14 Q And how far is Konola from Kakata? Is it far or is it --
15 is it near?

16 A No, not too far.

17 Q And would you do everything on foot?

18 A Yes. We used to come from the village, walk and come on
19 the road.

20 Q And in Liberia, would there be specific days that you
21 would go to specific villages? Or specific markets I should
22 say.

23 THE COURT: Translate.

24 THE INTERPRETER: So when you're doing the business,
25 there was specific day or go to different -- different market?

1 THE COURT: Loudly. Just --

2 THE INTERPRETER: Second day go to different --
3 different market?

4 THE WITNESS: Yeah, but if we're on the road almost
5 all the time, you know, Konola on the road, almost all the
6 time people used to be there, but only when I get market
7 before I can go there.

8 THE COURT: Translate.

9 THE INTERPRETER: For the market in Konola -- Konola
10 is the main road so almost all the time all we sell is in
11 Konola. So if I get enough merchandise, then I go to other
12 markets.

13 THE COURT: I'll say when to -- and you can look to
14 me if you need that.

15 MR. THAYER: Thank you, Your Honor.

16 BY MR. THAYER:

17 Q And did Konola itself have a particular day that was a
18 market day?

19 A That I -- I don't know, but the day I went there market
20 was there.

21 Q Okay. I want to ask you about a day at the Konola market
22 where something happened to Iven, okay, ma'am?

23 THE COURT: Do you understand that?

24 THE WITNESS: Yeah.

25 THE COURT: Okay.

1 BY MR. THAYER:

2 Q Do you remember when that day was approximately?

3 A I can't tell that day.

4 Q Was it still during Octopus?

5 THE INTERPRETER: It was still during Octopus?

6 THE WITNESS: Yeah, I do know Octopus.

7 BY MR. THAYER:

8 Q And do you remember Octopus happening somewhere during
9 the time where you have your birthday in October?

10 A Octo -- I mean, Octopus took place before my birthday.

11 Q And your birthday is October 20th, is that right?

12 A Yes.

13 Q Okay. On this day when something happened to Iven, do
14 you remember how old he was, ma'am?

15 A Iven was 12 years old.

16 Q And what were you and Iven doing on this day when
17 something happened to him?

18 A Okay, I should go and explain, right?

19 Q Please, and I'll ask you questions, but please go ahead.

20 A Yes, Iven and myself went to the market to sell. When we
21 got to the market that day we had plenty, we had cassava, and
22 small (inaudible) we went to sell that morning to Konola
23 market. When we got to the market, I put a goods down for
24 people to come and buy. When I look -- so I have a group
25 coming from Bonga, we are coming towards -- you know, how like

1 people are running, people are running. Iven come. I hide
2 him behind me. I pull him behind me.

3 Q Let me just stop you right there. Who were these people
4 that were coming?

5 A We were all in a market -- market start running, you
6 know, people running, coming.

7 Q How did those people look?

8 A Like in a market and then something happened, everybody
9 walking, everybody running, coming soldiers -- running, people
10 running, everybody running coming towards us.

11 Q Did they look happy or did they look --

12 A No. Everybody was frighten.

13 Q Okay.

14 A Yeah.

15 Q Did you find out what was going on?

16 A Yes. I have Iven's hand when they report running, so I
17 asked what happened, what happened. Before I -- I could say
18 what happened, somebody said they're catching, the children
19 they're catching and people putting it in a car. They said
20 it's (inaudible) because the war is coming and need man power.
21 The Defense Minister had given an order that they should catch
22 every able-body man. But I kept pulling onto Iven. See, when
23 I'm holding onto him they appear groups because they have
24 children all in the market the had arms.

25 So they had (inaudible) group they came, they wanted

1 him from me. So I said no, I kept holding onto him. He had
2 said you're holding me, you're holding me and (inaudible).
3 They took him from me and then they carry him to the car.
4 Soon as they were there, when they carry the children and they
5 told the children (inaudible).

6 Q Let me just stop you right there. You said that people
7 where chasing other people. Who was being chased?

8 A The soldiers were in the market catching little boys --
9 little boys.

10 THE COURT: What is that? What is that? What did
11 she say?

12 THE INTERPRETER: The soldiers were in the market
13 catching able-body men and the boys.

14 THE COURT: Okay.

15 BY MR. THAYER:

16 Q And who were these soldiers? What group did they belong
17 to?

18 A They were NPL soldiers. All the -- all people were
19 controlled by NPL soldiers.

20 Q And when -- when you say that these soldiers were
21 catching the men and the boys, how old were the -- how old
22 were these boys that were -- were being caught?

23 A They had some bigger one there. They had bigger one
24 there, children are there, wanted a soldier catch you boy
25 -- little boys and carry their own (inaudible).

1 Q Now, the soldiers that were chasing the men and boys in
2 the market, did those soldiers -- were those soldiers all
3 adults?

4 A Like I said, there were bigger one but for those that
5 came for my little brother from my hand, they were peer
6 groups.

7 Q Okay. So when you say peer groups, you mean that the
8 soldiers that were trying to capture your brother were his
9 age?

10 A His age group.

11 Q Okay. And did those -- those 12-year-old soldiers have
12 guns?

13 A The children, they have arms.

14 Q What kind of arms are you talking about?

15 A AK-47.

16 Q And tell us so it's clear, what did you hear was the
17 reason why these NPFL --

18 MR. WILSON: I am going to --

19 BY MR. THAYER:

20 Q -- soldiers --

21 THE COURT: She said it already. Go on.

22 MR. WILSON: I'm going to object to that, Your
23 Honor.

24 THE COURT: Why?

25 MR. WILSON: What did she hear as to why these NPFL

1 soldiers were --

2 THE COURT: Okay. I'll sustain that objection.

3 BY MR. THAYER:

4 Q Now, you said that the boys were being thrown onto a car.
5 What -- what kind of car was this? What kind of vehicle was
6 it?

7 A It was like a truck, like a pickup. At that time there
8 was no specific car. At that time if you -- if you own a car,
9 they will take it from you so a lot of time the soldiers had
10 almost all of the cars.

11 Q Okay.

12 A Yeah.

13 Q What kind of vehicle was Iven put on?

14 A A pickup.

15 Q A pickup?

16 A Yes.

17 Q Okay. Did you see Iven being taken away?

18 A Oh, yes. I -- when they took him from me, they put him
19 on board every other child they put on board like how we --
20 the parent, we started to cry. All that day I cry, I cry, I
21 cry. Iven too. They put him in the pickup, crying, crying.
22 And we couldn't get -- we couldn't get them and we started to
23 run behind the car. They put the children in the car, they
24 pull over there.

25 Q And what was Iven's reaction? What was he doing?

1 A Iven too was crying.

2 Q And you were chasing after the truck?

3 A We all were running after the car. We all were running
4 after the car. They were carrying the children. We were
5 running after the car. Iven in the car calling me and then we
6 started to cry. When I -- when we started to chase after the
7 car, then somebody told us that the Defense Minister was in
8 fact (inaudible). They told us -- said the Defense Minister
9 said they should carry the man and carry the children. The
10 children are small -- small. You all go to the man, you all
11 go -- you all go make an appeal and how we group ourselves, we
12 all went.

13 THE COURT: Do you want to translate it?

14 THE INTERPRETER: When they call the boys and then
15 put them into the truck while taking them away, we -- the
16 parents, began to cry and asked them to leave our kids. While
17 we were running after the truck, somebody told us about the
18 Defense Minister himself is in town, you guys go to the
19 Defense Minister and appeal to him.

20 MR. WILSON: Objection to what somebody told her.

21 THE COURT: Yes, sustained.

22 MR. THAYER: Well, Your Honor, I'm not asking the
23 question and the answer for the truth of the matter, it is
24 simply if she -- what she did in response to what she heard.

25 THE COURT: All right. Okay. I'll allow that. You

1 can ask her.

2 BY MR. THAYER:

3 Q So as a result of what you heard about the Defense
4 Minister being in town, what did you do?

5 A We group ourselves and we decided to go there to -- to
6 talk to him. We were all in group, we were plenty. We went
7 there, they show where he was, they took us where he was. Only
8 -- only (inaudible) used to sleep on the corner, corner
9 lobbies, how we went there to make an appeal. But now the
10 other guys couldn't allow us to get to him.

11 Q Okay. Let me just stop you right there. So was there
12 some kind of base that the NPFL was using in Konola?

13 A Yeah. I said a base because that was not the place they
14 were training, but that where the soldiers were keeping --

15 Q But --

16 A -- so they -- so yeah, we used to refer to the place as a
17 base.

18 Q So if I understand you correctly, there was a location
19 that was not being used as a training base, but it's where
20 soldiers stayed?

21 A Yeah.

22 Q Okay. And what was this location before the soldiers
23 began staying there? Do you remember? What -- what was this
24 location used for? What was it, the base?

25 A Oh, it was a mission school. That's a mission school.

1 Q All right. And do you remember whether this mission
2 school belonged to a particular religion or denomination?

3 A Yes. That's an SDA mission school.

4 Q And what does SDA stand for?

5 A Seven-day Adventist.

6 Q Had you ever been to that school before this day?

7 THE INTERPRETER: Have you ever been to that school
8 before the day they carry your brother in there?

9 THE WITNESS: Oh, before they carry Iven there?

10 THE INTERPRETER: Hm-hmm.

11 THE WITNESS: No, I can't -- that particular
12 mission, no.

13 MR. THAYER: Okay.

14 BY MR. THAYER:

15 Q So did -- what did you and these other parents and
16 relatives do?

17 A Yes, we went there and we -- we saw he brought -- the
18 soldiers couldn't allow us to get to him.

19 Q Okay. How did you and the parents get to the Konola
20 base?

21 THE INTERPRETER: How you all got to the Konola
22 base?

23 THE WITNESS: How we got there? We went and we go
24 and we heard that he was in town, he was there. But how we
25 group ourselves we went there.

1 MR. THAYER: All right.

2 BY MR. THAYER:

3 Q Did you walk there or did you take a car?

4 A We walk.

5 Q And is it a -- is it a long walk or is it -- is it
6 nearby? The market.

7 A It was like not too far from the market. Not too far.

8 Q All right. So please tell the jury as best as you can,
9 when you get to the base, what do you see? They weren't
10 there. So please, as best as you can, describe what you saw
11 when you arrived at the base.

12 A When we got at the base we saw the huge bodyguard around.
13 But we were yelling, yelling, yelling, and then we saw the
14 Defense Minister. He was standing on the -- he was on the
15 radio. He was communicating on the radio and we started to
16 call -- I mean, make an appeal, we're begging you. Please, we
17 just need a word from you to let our children go. They are --
18 they are children, they don't know about a war. But now the
19 -- the bodyguards kept pushing us away.

20 Q Okay. Let me stop you right there. So when you arrive
21 at the base you said there were huge bodyguards. Do you mean
22 -- by that do you mean they were huge, or do you mean there
23 were a lot of bodyguards?

24 A A lot of bodyguards around.

25 Q Okay. All right. And were these bodyguards all adults?

1 A They were mixed, adult, young age, middle age. They were
2 mixed.

3 Q All right. And among these bodyguards, were there child
4 soldiers?

5 A There were child -- like 17, 18, around there.

6 Q Okay. And did you or anybody in your group say anything
7 to those bodyguards when you arrived at the base?

8 A We were asking them, you know, to leave our children.
9 And then -- but they keep insisting (inaudible) we were not --
10 our children are not better than those that are dying so we
11 should get away or else we will fire at all. They started to
12 push us away -- you all go, your children are not better than
13 the children that the other people that dying so they gonna
14 fight too. But we keep calling for him to help out, meet and
15 calling and the Defense Minister asking him to please let our
16 children go.

17 Q Okay. So when you pleaded with the bodyguards, they told
18 you that your children were no better than the other children
19 who were dying?

20 A Of course, yes.

21 Q And those other children who were dying, how did the
22 bodyguards say they were dying? What were they dying from?

23 MR. WILSON: Objection, Your Honor.

24 THE COURT: Overruled.

25 THE WITNESS: Many on the war from catching the

1 children to go fight.

2 BY MR. THAYER:

3 Q When you first saw Defense Minister Woewiyu, where was he
4 standing? You said he was on a radio. Where was he standing?

5 A He was standing like a distance from his bodyguards and
6 we were like outside making appeal.

7 Q Okay. Was he inside a building or was he outside a
8 building?

9 A No. He was outside.

10 Q All right.

11 A He was not in the building.

12 Q Now, I want you to explain to the jury how far you were
13 from Defense Minister Woewiyu when you saw him, and I want you
14 to tell me when to stop, okay?

15 A When to stop?

16 Q Yes.

17 A Oh okay, okay. Yeah, I got it.

18 Q So I'm going to walk backwards --

19 A You got to walk, sir?

20 Q -- and tell -- tell me when to stop.

21 A No. He was like where those people are --

22 Q Which people?

23 A Like -- yeah, there --

24 Q Right here?

25 A -- and then they -- and then --

1 Q Where? Right here?

2 A Okay. And then the bodyguards were like in between.

3 Q Okay.

4 A Yeah.

5 Q So the Defense Minister was this far from you --

6 A Yes.

7 Q -- and the bodyguards were in between?

8 A Were in between.

9 Q All right.

10 THE COURT: Is this a good time to stop?

11 MR. THAYER: Certainly, Your Honor.

12 THE COURT: Because I -- the jury got their lunch
13 already. Members of the jury, do not discuss this case among
14 yourselves until all the evidence is in and you've received
15 the final instructions from me because only then can you
16 discuss the case fairly and intelligently.

17 Do not talk with the witnesses or the parties, the
18 lawyers on any subject. You're not to make an investigation
19 of your own. Do not speak with your family, coworkers or
20 anyone else other than to tell them that you're on the trial.
21 Do not make any visits to any sites and whatever you do, don't
22 talk about this case until all the evidence is in because only
23 then can you discuss the case fairly and intelligently, okay?
24 We will -- we will return at 2:15.

25 (Recess, 1:04 p.m. until 2:22 p.m.)

1 MR. WRIGHT: Your Honor, if I could --

2 THE COURT: Once a day is enough.

3 MR. WRIGHT: Your Honor, if I could approach just
4 very briefly?

5 THE COURT: You want to see me on sidebar?

6 MR. WRIGHT: No, not on sidebar.

7 THE COURT: On sidebar?

8 MR. WRIGHT: No, no, no, not at sidebar.

9 THE COURT: Oh, good.

10 MR. WRIGHT: I may have neglected to move in the
11 admission of all of the tapes and I've got --

12 THE COURT: They are -- they are admitted -- poof.

13 MR. WRIGHT: Thank you, Your Honor.

14 MR. WILSON: With regard to the stipulation --

15 MR. WRIGHT: Well we had --

16 MR. WILSON: -- because there was an H exhibit as
17 well.

18 MR. WRIGHT: Yes. Those were all the -- those were
19 all the tapes. Thank you, Your Honor.

20 THE COURT: No, don't worry about that. I'm not
21 going to let you make that mistake. You can wait until the
22 end even but --

23 (Pause in proceedings)

24 MR. THAYER: Your Honor, shall we bring the witness
25 in or would you prefer to have the jury seated first?

1 THE COURT: Well sure, yes, you ought to bring the
2 witness in. And even the translator.

3 (Pause in proceedings)

4 (Jury in, 2:23 p.m.)

5 THE COURT: Okay, Mr. Thayer, you may continue.

6 MR. THAYER: Thank you, Your Honor.

7 BY MR. THAYER:

8 Q Good afternoon again, ma'am.

9 A Afternoon.

10 Q When we had left off, you had told the jury that you and
11 the group of other parents and relatives of the children who
12 had been taken from Konola were about as far away from Tom
13 Woewiyu as the end of the jury box here, is that right?

14 A No, like front --

15 Q The first row of the -- of the audience, the gallery?

16 A Yeah.

17 Q Okay. Can you tell the members of the jury what Defense
18 Minister Woewiyu was wearing?

19 A Yeah. On that day he was in white tee shirt with a
20 camouflage trouser -- army trouser.

21 Q Camouflage?

22 A (No audible response)

23 Q Sorry, you have to say yes or no so we can hear you.

24 A The army trouser and a white tee shirt.

25 Q And when you say army trousers, what do you -- what do

1 you mean by army trousers?

2 A The camouflage.

3 Q Okay, camouflage. Okay. What else was he wearing? Do
4 you remember?

5 A Yeah. He was dressed like a army man in camouflage
6 trouser with a army belt. He never had a coat on, only the
7 white tee shirt was on.

8 Q All right. And was he wearing anything on his belt?

9 A Yes. He had -- like he had a pistol, he had a handset,
10 with another handset in his hand.

11 Q You said he had a handset, and then you said something
12 else after that. What -- what did you say, ma'am? Can you
13 just make it clear?

14 A Another handset in his hand.

15 Q He had a handset in his hand?

16 A Hm-hmm.

17 Q Okay. And I think you told us before lunch that at one
18 point, Defense Minister Woewiyu was speaking on the radio, is
19 that right?

20 A Yes.

21 Q And when he was speaking on the radio, was he facing the
22 group of people that you were in or was his back turned?

23 A Where we were standing his back was turned to us.

24 Q Now, you said that when you were pleading with the
25 bodyguards they said something to you. Did you and the group

1 you were in then begin to plead to Defense Minister Woewiyu?

2 A Yes. Like we all were yelling help us, help us, please
3 let our children go. And then the bodyguards kept pushing us
4 away -- we shouldn't come and we should -- we should leave,
5 our children are not better than those that are dying on the
6 front line.

7 Q Now, after you pleaded with the bodyguards, did you and
8 the group you were in address yourselves directly to Defense
9 Minister Woewiyu? Did you call out to Defense Minister
10 Woewiyu by his name?

11 A Yes. We all were calling because he was the Defense
12 Minister. We all were calling upon him to help us, to release
13 our children.

14 Q And at some point did he turn around and face your group?

15 A Yes. When we call, call, call, it's like we were -- you
16 know, every time we get him to turn around and look at us and
17 then he turned around, continue his conversation on the radio.

18 Q And when he turned around and looked at your group, were
19 you looking at him straight in the face?

20 A Yes. I look at -- was standing looking at him. When he
21 turned around, he just look at us and then he turned around,
22 continue his conversation.

23 Q And did he say anything to your group?

24 A Not a single word.

25 Q What was the expression on his face when he was looking

1 at your group?

2 A I felt that he didn't care because if he really care, he
3 should have maybe just say oh yeah, let the children go, but I
4 feel he didn't care.

5 Q Ma'am, I want to show you what has been previously marked
6 as Government Exhibit A6. It's going to be shown only to you
7 for the moment on that monitor next to you. Let me know when
8 you see it.

9 (Pause in proceedings)

10 MR. WILSON: It's not coming up on our screen.

11 THE COURT: It's not up yet.

12 MR. SCHEIDT: I know, I'm getting there.

13 THE COURT: Oh, okay.

14 (Pause in proceedings)

15 THE COURT: Is there a problem, Jim?

16 MR. THAYER: In the meantime, Your Honor, I can --

17 THE COURT: Oh no, I --

18 MR. THAYER: -- show a hard copy to the witness.

19 THE COURT: One sec.

20 (Pause in proceedings)

21 THE COURT: What's going on?

22 (Pause in proceedings)

23 THE COURT: Seems like judge's mic is off now).

24 MR. THAYER: I have a hard copy, Your Honor, if
25 that's what you mean. The witness has the image.

1 THE COURT: Oh, now she has it, more -- oh,
2 everybody has it. Okay, great. All right. Sorry.

3 BY MR. THAYER:

4 Q Ma'am, do you see an image on the screen next to you?

5 A Yes.

6 Q And do you recognize anyone in that picture?

7 A Yes.

8 Q Can you tell us who you recognize in that picture, if
9 anyone?

10 A I recognize the Defense Minister, yeah.

11 Q And can you tell us what he's wearing in that -- in that
12 picture or where -- where is he positioned in the picture?
13 Going from right to left, which number person is he?

14 A He's the -- the fifth person on my right.

15 Q Okay. Moving from left to right.

16 A Yeah, from left to my right, he's the fifth person.

17 Q Okay. And does this photograph fairly and accurately
18 capture what Defense Minister Woewiyu looked like when you saw
19 him that day in Konola?

20 A Exactly.

21 MR. THAYER: Your Honor, I ask that A-6 be shown to
22 the jury.

23 THE COURT: Yes.

24 BY MR. THAYER:

25 Q Ma'am, if you could look at your screen and just take

1 your finger and circle the Defense Minister for the jury.

2 A I should point at him?

3 THE INTERPRETER: Circle.

4 THE WITNESS: Circle -- it's the Defense Minister.

5 MR. THAYER: All right.

6 BY MR. THAYER:

7 Q Now, ma'am, I want you to take a look around the
8 courtroom --

9 THE COURT: Okay, that's okay, I can see it.

10 BY MR. THAYER:

11 Q I want you to take a look around the courtroom and I want
12 you to tell the jury whether you see Defense Minister Woewiyu
13 in this courtroom today.

14 A Yes, he's here.

15 Q Can you point him out and describe something that he is
16 wearing so that we can know for the record that you've
17 identified him?

18 A He's in a gray suit with a peach shirt.

19 Q With a peach shirt? Is that --

20 A Yeah, peach shirt.

21 MR. THAYER: Your Honor, may the record reflect --

22 THE COURT: It so reflects.

23 MR. THAYER: -- that the witness has identified the
24 defendant.

25 BY MR. THAYER:

1 Q When the Defense Minister turned around and continued to
2 talk to on his radio, where did he go? What did he do?

3 A Well when we pleaded, he did not answer our -- and the
4 soldiers continued to drop us, we just left. We didn't do
5 nothing.

6 Q And what was your reaction when Defense Minister Woewiyu
7 turned around and left you?

8 A My reaction?

9 Q Yes.

10 A Nothing we could do but just cry the whole -- whole while
11 we just cry.

12 Q And where did you go after this?

13 A After that one lady came and took me because the way I
14 was crying, I was crying, she said don't cry, come, sometime
15 people go and come back, so pray that as they took your
16 brother, we pray that one day he will come Konola (phonetic)
17 be here.

18 Q Now, this woman that you just told us about, did she have
19 a job? Did she -- what did she do?

20 A She used to cook for the soldiers in Konola.

21 Q Okay. So she cooked for the NPFL soldiers on that base?

22 A Yes, yes.

23 Q Okay. And when she told you that don't cry, people come
24 and go, what was she telling you? What -- what did she mean
25 by that?

1 A People go on the front line and they come, so she was
2 like don't cry, maybe you'll be lucky or nothing will happen
3 to your brother, he will come so come here with me.

4 Q So what did you do when she said that?

5 A I stop crying like that time but I couldn't stop, you
6 know? Every time I think about him I used to cry.

7 Q So where did you stay?

8 A I stay with the woman.

9 Q And what were you hoping?

10 A Hoping that one day my brother will come back.

11 Q So what did you do every day while you were staying with
12 that woman?

13 A I would go and help her. When they go in to cook I go
14 and spend the day or help to cook so that I can get food to
15 eat too.

16 Q And were you listening for anything in particular during
17 this time you spent with this woman?

18 A Yes. From that time every morning, some morning or every
19 time I hear car, I would run on the road to see. Any time I
20 hear a car from Kakata way, I would run on the road to see
21 whether I would see my brother.

22 Q And how long did you spend with this NPFL cook until
23 something happened?

24 A I spend like four days -- four days with her.

25 Q And then what happened?

1 A Yeah, after the four day every time I come, people like
2 would see me every time I come on the road to check and I
3 would go back for the street crying. So this day, only 50,
4 that morning I went on the road and then some group of people
5 were talking and say oh, the car, the children they arrest in
6 from of the market. The car then did a fake ambush
7 (inaudible) to Haiti that morning. That was the 50. So I
8 ran, I told the woman. She said okay, go and check. She
9 helped me with transportation. I go in car (inaudible).

10 Q Let me -- let me just stop you right there and maybe
11 we'll break that up into little pieces. So on the fifth
12 day --

13 A Yeah.

14 Q -- is what you're telling us, is that right?

15 A Yes.

16 Q You heard some news.

17 A Hm-hmm.

18 Q What did you hear? Tell us as -- as slowly as you can,
19 what did you hear?

20 A Yeah, when I came on the road to sell (inaudible). The
21 children they arrest in from the market, they fell into
22 ambush --

23 Q Okay. So they told you that the children they arrested
24 from the market --

25 A Yeah.

1 Q -- had fallen into an ambush, is that right?

2 A Yes.

3 Q Okay. And what did they tell you about those children
4 who had fallen into an ambush?

5 A They said they carry some in the past, they carried in
6 Phebe. They (inaudible) one, they carry in Phebe.

7 THE COURT: Would you please translate? Could you
8 translate?

9 THE INTERPRETER: She said when she got on the
10 road the information she got that the homeless children that
11 were brought from the ambush, they took someone into Phebe.

12 (Transcriber's note -- interpreter hit microphone and
13 microphone is now off from this point forward until otherwise
14 noted)

15 BY MR. THAYER:

16 Q And what is Phebe?

17 A Phebe is a hospital.

18 Q And where is Phebe located?

19 A Phebe is in Bonga Suakoko.

20 Q And how far is Suakoko from Bonga?

21 A Not far.

22 Q Okay.

23 A Not too far.

24 Q And about how far is Phebe from Konola where you were?

25 A A little bit far. Little bit far.

1 Q All right. Now, you had heard that some of the children
2 who had been taken from Konola to the front lines had been
3 wounded, did you hear that something had happened to some of
4 the other children that weren't wounded?

5 MR. WILSON: Objection, Your Honor, to this. It is
6 hearsay.

7 THE COURT: Yes, sustained.

8 BY MR. THAYER:

9 Q So what did you do when you heard that some of the
10 wounded children had been taken to the Phebe hospital?

11 A Yes, I decided to go and check because it was -- the
12 amount of children where my brother went when they took him
13 and arrest many children. They arrest them from the market
14 and threatened to ambush, I decided to go and check to see
15 what I -- find my brother (inaudible).

16 Q Okay. Now, I just want to make sure that I understand
17 and we understand you correctly. I hear you using the term
18 "arrest," okay? When you say arrest, do you mean that these
19 children had committed some crime, or is that just a word
20 you're using?

21 A Just a word I'm using. The children they took from the
22 market --

23 Q Okay.

24

25 A -- and carried --

1 Q Okay.

2 A Yes.

3 Q Including Iven --

4 A Yes.

5 Q -- is that right?

6 A Yes.

7 Q Okay. So how did you get to the Phebe hospital?

8 A Yes, the woman that was helping me, she give me \$500, and
9 I use it to get on board to go to Phebe.

10 Q All right. Now, when you say \$500, what kind of dollars
11 are we talking about?

12 A Liberian dollars.

13 Q All right. And back then -- oh, never mind. It's 500
14 Liberian dollars and that got you to Suakoko, is that right?

15 A Yes.

16 Q Okay. All right. So please, tell us what happened when
17 you got to the Suakoko hospital.

18 A Oh, very terrible. When I got at Phebe, I went -- like I
19 was running. When I got there I ran to the -- to the
20 (inaudible) and I explained to the security -- I met security
21 and I explain to him, I said a bus (inaudible) last night, but
22 they carried my brother on the front line. I was told that the
23 children they immediately arrest them from us, didn't want --
24 threatened (inaudible) laughing. So I beg, will you help me,
25 I'm looking for my brother.

1 THE COURT: Do you want to translate it?

2 THE INTERPRETER: When she got to Phebe hospital she
3 met a security guy and explained to the security guy I'm here
4 to look for my brother. The children that was taken from us
5 were the ones that were ambushed and I want to check to see if
6 my brother is among those children, so please help me.

7 BY MR. THAYER:

8 Q So what did you do, ma'am?

9 A He agreed and he carry me on road where. (Inaudible)
10 went, (inaudible) up -- I told you he told me to say yes,
11 (inaudible). When I saw you last night, so let me carry you
12 there. I said okay. When he carried me there I was
13 (inaudible). I didn't know the specific place he was. What he
14 -- what he (inaudible) when I saw my brother his whole head
15 was bandaged with -- his whole head, bandaged his whole head
16 when he lie in that back. And I (inaudible) I started to cry.

17 Q Take your time, ma'am.

18 A His whole body was, you know, like so -- his head
19 bandaged, and head was like (inaudible). (Inaudible) bandaged
20 him. So when I went on, she told me, she told me, she said if
21 you want his whole damaged, (inaudible). So a lot over here.
22 I didn't hear from -- he was weak and useless

23 Q Okay. Let me stop you there. When you spoke to the
24 guard, the security guard at the hospital, he took you I think
25 you said to a ward where the wounded were, is that right?

1 A (No audible response).

2 Q You just need to say yes -- yes or no.

3 A Yes, yes.

4 Q And you said that you went down the ward and you were
5 calling out a name.

6 A Yes.

7 Q What name was that that you were calling out?

8 A Monutee -- that his middle name, Monutee. His name is
9 Iven Monutee Paye -- M is for Monutee.

10 Q Okay. So you were calling out Iven by -- by a name,
11 Monutee?

12 A Yes.

13 Q And how many rooms do you think you passed by yelling his
14 name before -- before you heard him?

15 A It's a long hall and (inaudible).

16 Q So there was a long hallway with partitions, like in a
17 hospital?

18 A Yes.

19 Q And he heard you at some point?

20 A He heard me (inaudible).

21 Q And what did he say when he heard you calling his name?

22 A He said I'm dying, I'm dying (phonetic). I started
23 crying.

24 Q And when you saw Iven, you said his head was all bandaged
25 up?

1 A Yes. His whole head was bandaged because when I asked
2 what happened to your head he said he ouch. I don't know what
3 (inaudible) or what, but he said (inaudible).

4 Q Now, before this day did Iven have any problems with his
5 eyes?

6 A He never had a problem with his eye.

7 Q And before this day, did Iven have a normal full use of
8 his hand?

9 A Yes.

10 Q And I think you told us that his thumb was -- was hanging
11 off? Is that what you said?

12 A Yeah. When I went in next to him he said (inaudible),
13 like they (inaudible). So she managed to bandage it but when
14 I went she told me, she said you the sister, I said yeah, she
15 said well it's just hanging there, so we agreed we would cut
16 it off.

17 Q And when you saw Iven in the hospital did he still have
18 his fingers on his hand other than his thumb? Were his
19 fingers still there or were they gone when you saw him in the
20 hospital?

21 THE INTERPRETER: Saw Iven in the hospital,
22 (inaudible)?

23 THE WITNESS: The whole place on it like only the
24 flesh was (inaudible).

25 THE INTERPRETER: His whole hand was cut but what a

1 nurse did, a nurse managed to just hold it together and
2 bandage it.

3 BY MR. THAYER:

4 Q Did Iven require further treatment at Phebe?

5 A We spent some time there that when the nurse told me, I
6 told her I said -- I told Iven, I said Iven, let the nurse
7 take you (inaudible). And Iven agreed we don't cut it off and
8 finally she (inaudible) skin --

9 Q How much time, do you remember?

10 A Yeah, we spend like two, three months in Phebe.

11 Q Okay. And at some point you left Phebe. Where did you
12 go?

13 A Yeah, when he to his self we left Phebe, we went nobody
14 go.

15 Q I want to show you a -- a map, and we'll see if you can
16 see it well enough on the monitor next to you, and if that
17 doesn't work, we have a bigger map you can use.

18 THE COURT: Okay, what's the exhibit?

19 MR. THAYER: A-9.

20 THE COURT: We've already -- it's already been
21 introduced?

22 MR. THAYER: It has, Your Honor.

23 THE COURT: Okay. Are you going to -- are you going
24 to show it to the jury?

25 MR. THAYER: Yes. May we --

1 THE COURT: Sure.

2 MR. THAYER: -- have that shown to everyone, please?

3 May I approach, Your Honor?

4 THE COURT: Of course.

5 MR. THAYER: I just want to see how legible it is.

6 THE COURT: Are we going to show it to the jury too?

7 Do you --

8 MR. THAYER: Yes.

9 THE COURT: Yes, Jim, to the jury also.

10 BY MR. THAYER:

11 Q Ma'am, can you make out what that map shows? If you can
12 -- if you can see well enough, can you see Monrovia?

13 A Yes.

14 Q Okay. Can you just circle Monrovia, please, with your
15 finger? And do you see Kakata on the map?

16 A Yes.

17 Q And can you also see Konola on that map? And if you need
18 -- if you need the big map to find Konola we can do that, or I
19 can give you a magnifying glass.

20 THE COURT: Or you can give her -- you can give her
21 some hint.

22 BY MR. THAYER:

23 Q Now, you said Konola is on a road, is that right?

24 A Yes, along the road.

25 Q Okay.

1 THE COURT: She hasn't identified it.

2 MR. THAYER: I just want a (inaudible).

3 THE COURT: All right.

4 BY MR. THAYER:

5 Q And you said Konola is very close to Kakata, is that
6 right?

7 MR. THAYER: May I ask the witness to step down,
8 Your Honor?

9 THE INTERPRETER: I can't see -- I can't see map.

10 THE COURT: Okay, she can step down.

11 MR. THAYER: Thank you, Your Honor. And it
12 shouldn't take --

13 THE COURT: You need me --

14 MR. THAYER: -- it shouldn't take too long.

15 THE COURT: Should I -- is this important for me to
16 -- he has to see it.

17 MR. WRIGHT: I can move.

18 THE COURT: Okay.

19 MR. THAYER: Unless you have a burning desire to
20 know where Konola is, Your Honor.

21 THE COURT: Well, I ought to know. Okay, why don't
22 you -- you may step down.

23 MR. THAYER: Please come down.

24 THE COURT: And give me your -- give me your
25 microphone -- magnifying glass so I can follow the testimony.

1 Thank you very much.

2 BY MR. THAYER:

3 Q And if you could just stand to the side. Did you find
4 Kakata?

5 A (Inaudible).

6 (Pause in proceedings)

7 Q Okay, if you can just stand to the side so you're not
8 blocking the jury. Can you show -- can you show the jury
9 where Konola is?

10 A It's Konola on there.

11 Q Marked right there on the -- on the map?

12 A Yeah.

13 Q Just a little bit north of Kakata on the road? Okay.
14 And can you show the members of the jury where Suakoko is? You
15 mentioned the Phebe hospital in Suakoko.

16 A Yeah, Suakoko is in Bong County --

17 Q Okay.

18 A -- in this county.

19 Q And you mentioned that it's not far from Bonga. Can you
20 -- do you actually see Suakoko on the map?

21 A (No audible response)

22 Q Okay, right where there's an H. So if -- if just for the
23 record, if we're looking at where Bonga's marked, it's to the
24 left of Bonga where there's a big H and it says Suakoko on the
25 bottom, is that right? Okay.

1 A Suakoko.

2 Q Suakoko. Okay. All right. Thank you, I think we're
3 done with our geography lesson anyway.

4 (Transcriber's note -- Witness microphone is now on)

5 BY MR. THAYER:

6 Q Ma'am, do you -- do you still live with Iven?

7 A Yes.

8 Q Do you help support Iven still? Do you help support Iven
9 still?

10 A Yes.

11 Q How has the wounds to his eyes affected him?

12 A Iven eyes affected him badly. You can see the tears run
13 down day and night. It hurt him. (Inaudible).

14 Q Thank you, ma'am.

15 MR. THAYER: That's all I have. Thank you, Your
16 Honor.

17 THE COURT: Do you want to use the interpreter or do
18 you want not to use the interpreter?

19 MR. WILSON: Well, we'll try it without, Your Honor,
20 and if we --

21 THE COURT: All right, we'll try it without. Listen
22 carefully.

23 MR. WILSON: We can -- we can go in the same way
24 that we've been going.

25 THE COURT: Okay. Why don't you move the -- the

1 microphone so that you can be -- okay.

2 CROSS-EXAMINATION

3 BY MR. WILSON:

4 Q Ms. Sowu, do you remember what month this might have been
5 when this happened to your -- to your brother?

6 A It was early November because Octopus started October 15.

7 Q Okay. So it was after your birthday, after October 20th?

8 A (Inaudible)?

9 THE INTERPRETER: What did you say?

10 Q It was after your birthday, after October 20th?

11 A When Iven was hurt?

12 Q Yes.

13 A Yes.

14 Q So you had just turned 18, or had you turned 19 on that
15 birthday?

16 A It was my 18th birthday.

17 Q Your 18th birthday, so we're talking about November of
18 1992 then, correct?

19 A Sure.

20 Q And do you remember was it early in November or later in
21 November?

22 A I can't tell.

23 Q You don't remember?

24 A No.

25 Q Do you remember what day your brother got out of the

1 hospital?

2 A No.

3 Q How long was he in the hospital for?

4 A Like three months.

5 Q For about three months?

6 A Sure.

7 Q And he -- so he got out after Christmas?

8 A I can't remember -- yeah.

9 Q During the time that he was in the hospital you were
10 living at the hospital, right? You were living -- you were
11 with him the whole time at the hospital?

12 A Yes, always in the hospital.

13 Q And after you left the hospital, you left with Iven,
14 right?

15 A Yes.

16 Q And do you remember where you went to live after that?

17 A We went Bonga.

18 Q You went to Bonga?

19 A Yes.

20 Q And Bonga was in the control of the NPFL at the time,
21 correct?

22 A Yes.

23 Q And where the hospital was was in control of the NPFL at
24 that time, correct?

25 A Yes.

1 Q You decided that Bonga was the safest place to go,
2 correct, after you left the hospital?

3 A Yes.

4 Q And the ambush that your brother got hurt in, that was an
5 ambush by ECOMOG forces, correct?

6 A I don't know. I wasn't there.

7 MR. WILSON: I have no further questions at this
8 time, Your Honor.

9 THE COURT: Okay.

10 MR. THAYER: Nothing further, Your Honor.

11 THE COURT: Okay, thank you.

12 THE WITNESS: Finished?

13 THE COURT: You may step down. Yes, you can leave.
14 You can step down.

15 THE WITNESS: Okay. Thank you.

16 THE COURT: Yes, thank you.

17 (Witness excused)

18 MR. THAYER: Your Honor, the Government calls Iven
19 Paye.

20 COURTROOM DEPUTY: Remain standing and raise your
21 right hand.

22 (Interpreter repeats oath to witness)

23 THE COURT: Loud. Make sure you -- can you hear the
24 translator? Oh, you have to really speak louder.

25 (Interpreter repeats oath to witness)

1 IVEN PAYE, GOVERNMENT'S WITNESS, SWORN

2 DIRECT EXAMINATION

3 BY MR. THAYER:

4 Q Good afternoon, sir.

5 A Good afternoon.

6 MR. THAYER: I'm going to just come up if I could,
7 Your Honor, and just move the microphone just a little bit
8 closer.

9 THE COURT: And the translator has to speak very
10 loudly.

11 MR. THAYER: And, sir, I would ask if you could just
12 move your chair just a little bit closer to the microphone.
13 That would be very helpful. Thank you.

14 BY MR. THAYER:

15 Q Can you please state your name for the record? I'm not
16 sure that's been done.

17 THE INTERPRETER: Say your full name for the record.

18 A I'm Iven Monutee Paye.

19 THE INTERPRETER: I'm Iven Monutee Paye.

20 Q And how do you spell your middle name, sir?

21 A M-O-N-U-T-E-E.

22 THE COURT: He seems to speak English pretty well so
23 he can answer.

24 BY MR. THAYER:

25 Q Can you tell us what your birthday is?

1 A My birthday is on August 2nd.

2 Q I'm sorry, can you say that again?

3 A August 2nd.

4 Q August 2nd. And what year, sir?

5 A 1980.

6 Q 1980, very well.

7 THE COURT: He speaks English.

8 BY MR. THAYER:

9 Q Can you tell the members of the jury where you grew up,
10 sir?

11 A I grew up -- I grew up in Kakata.

12 Q And do you believe to a particular ethnic group?

13 A Yeah.

14 Q And what is that, sir?

15 A Kpelleh.

16 Q Kpelleh?

17 A Yeah.

18 Q All right. And that's spelled K-P-E-L-L-E, is that
19 right?

20 A K-P-E-L-L-E-H.

21 Q H.

22 THE COURT: E-H.

23 THE WITNESS: Yeah.

24 MR. THAYER: Thank you.

25 BY MR. THAYER:

1 Q And were both your parents Kpelleh or just one?

2 A One.

3 Q And was that your mother or your father?

4 A My father.

5 Q And is that how in Liberia your ethnic background is
6 determined by -- by your father and his tribe?

7 A Yes, our father.

8 Q Now, you have a sister, is that correct, and her name is
9 Janet Sowo?

10 A Yes.

11 Q And you have the same mother, is that right?

12 A Yeah.

13 Q But different fathers?

14 A Yes.

15 Q Okay. Growing up in Kakata, sir, did you go to school?

16 A Yes.

17 Q How far did you get in school?

18 A I was in a (inaudible) two.

19 Q In?

20 A K-2, call that K-2.

21 Q You call it K-2?

22 A Yeah.

23 Q How many years did you actually spend in school?

24 A Not long.

25 Q Why not? Why didn't you spend long in school?

1 A The war break out.

2 Q Can you tell the members of the jury how many years
3 you've actually had in school, sir, if you know?

4 A I mean, I know I try a year -- one or two years.

5 Q Just one or two years?

6 A Yeah.

7 Q Okay. All right. Growing up, who did you live with,
8 sir?

9 A My sister.

10 Q And is that Janet? Janet Sowu?

11 A Yeah.

12 Q Can you tell the members of the jury when you first
13 recall the war coming to where you were living with Janet?
14 Can you tell the members of the jury what happened when the
15 war came to you?

16 A The war started 1992, Octopus.

17 Q That's when you first experienced the war, sir?

18 A Yeah.

19 Q Okay. And how old were you?

20 A I was 12 years.

21 Q And up to that time, what were you and Janet doing to
22 support yourselves?

23 A We were selling pepper, bitterbal, aloe and plantain.

24 Q All right. You were selling --

25 A Pepper --

1 Q -- peppers? Okay.

2 A -- bitterbal --

3 Q What are bitterbals?

4 A A raw raw bitterbal to eat.

5 Q All right. Is it a vegetable or is it a fruit? What is
6 it?

7 A A veg -- a fruit.

8 Q It's something to eat though?

9 A Yeah, we eat it.

10 Q Grows out of the ground?

11 A Yeah.

12 Q Okay. And where were you selling the peppers and
13 bitterbals, sir, with Janet? Where were you doing this?

14 A We were selling from village to village. We went from
15 market to market in -- that's within Konola.

16 Q All right. I want you to focus on a day when you were in
17 Konola with Janet and something happened to you. Can you tell
18 the members of the jury about that day?

19 A It was on a Friday.

20 Q How do you know it was a Friday?

21 A That was the market day.

22 Q Was a market day, okay.

23 A Yeah. We were selling in the market, transacting from
24 one to another. I saw a group of -- I saw a group of soldiers
25 running to me. They were running all around, grabbing people,

1 carrying them to the -- to the truck, to the pickup. All of a
2 sudden I saw (inaudible) picking like me.

3 Q Now --

4 THE COURT: I think we need a translator.

5 BY MR. THAYER:

6 Q Now, you just used a word that I'm not sure we
7 understand. You said you were selling in the market on a
8 Friday and some soldiers came.

9 A Yeah. Crowd, like mu crowd.

10 THE INTERPRETER: Like my peer group.

11 A Like my peer group.

12 Q Okay. And when you say "peer group," do you mean your
13 age?

14 A Yeah.

15 Q Okay. And what did they do with you?

16 A They came, they kicked my market.

17 THE INTERPRETER: They came and kicked my market.

18 A They -- they call out to me, put me in the car.

19 THE INTERPRETER: They call out to me and put me
20 into the car.

21 A And we were plenty.

22 THE INTERPRETER: We were plenty. We were a lot.

23 Q All right. You said earlier that they put you on a
24 truck.

25 A Yeah.

1 Q And were there many of you that were placed on the truck?

2 A Yeah, we were plenty.

3 Q Okay. And were these all boys your age or were there
4 also older people or --

5 A What --

6 Q -- tell us what the age -- age mix was.

7 A We were mixed up. Some older, some younger, some
8 smaller.

9 Q Were there boys younger than you that had been taken away
10 that day?

11 A Yeah.

12 Q Where did they take you, sir?

13 A Toward the base.

14 Q And what base was that?

15 A Konola base.

16 Q Before that day had you ever been to the Konola base?

17 A No.

18 Q Tell us what it looked like when you got there. What --
19 what kind of a place is it?

20 A It was a -- a mission school, a school building, what
21 they were using for the base. We went there.

22 Q Tell us what happened when you got to the base.

23 A Oh, everyone was crying, missing our parents --

24 Q I'm sorry, you said everybody was crying?

25 A Yeah.

1 Q And everybody was missing their parents? Is that what
2 you said?

3 A Yeah. We were all yelling -- the mother.

4 THE COURT: Let him translate.

5 THE INTERPRETER: He said when we got there
6 everybody was crying, everyone was crying. And for me, I just
7 lost my mother.

8 THE WITNESS: I can't see my sister again.

9 THE INTERPRETER: I couldn't see my sister again.

10 THE WITNESS: Started to cry.

11 THE INTERPRETER: So I was crying.

12 THE WITNESS: But there was no where.

13 THE INTERPRETER: But there was no where.

14 THE WITNESS: -- we have to be trained.

15 THE INTERPRETER: We have to be trained.

16 BY MR. THAYER:

17 Q And who told you you had to be trained?

18 A The SBU Commander, Chief Zobon.

19 THE INTERPRETER: The SBU Commander, Chief Zobon.

20 Q All right. You just said the term "SBU." Can you tell
21 the members of the jury what SBU means?

22 A Small boy unit.

23 THE INTERPRETER: Small boys unit.

24 Q And you said there was a commander named Zobon?

25 A Yeah.

1 Q Did you see this Zobon -- this commander on the Konola
2 base?

3 A Yeah, he was always with us.

4 THE INTERPRETER: Yes, he was always -- always with
5 us.

6 Q And what did he do when you were there at the base?

7 A We were trained how to -- how to kill --

8 Q What kind of --

9 A -- shoot.

10 Q -- training did you receive?

11 A We -- we were trained how to dismantle the gun --

12 Q What kind of a gun?

13 A AK-47 gun, put it --

14 Q What else did they train you to do?

15 A Put the gun together. They give you drugs to go and
16 kill.

17 Q How many days did you spend being trained?

18 A We spent three -- three day on the base.

19 Q And did something happen on the fourth day?

20 A On the fourth day they told us the Chief of Defense Staff
21 was going to come talk to us, so we were like -- we were
22 waiting for him. He came --

23 Q All right, let me just stop you right there. You said on
24 the fourth day you were told that the Chief of the Defense
25 Staff was coming to the base, is that correct?

1 A Yeah.

2 Q And were you told to do anything in preparation for the
3 Chief of the Defense Staff to come?

4 A Oh, we were jubilated to see the Chief of Defense Staff
5 talk to us.

6 Q All right.

7 A Everybody fire in the air, jubilating to see our Chief.

8 Q So this was -- this was an important event, is that
9 correct?

10 A Yeah.

11 Q All right. And when you arrived at the base to receive
12 this training, were you and the other boys your age, were you
13 separated from the other people who were being trained or were
14 you being trained with adults at the same time?

15 A We were trained together.

16 THE COURT: What did he say?

17 THE INTERPRETER: We were trained together.

18 THE COURT: Okay.

19 THE WITNESS: We were going to go facing the same
20 battle.

21 THE INTERPRETER: Because we were going to facing
22 the same battle.

23 BY MR. THAYER:

24 Q Now, you said that people were jubilating when they heard
25 that the Chief of the Defense Staff was coming?

1 A Yeah.

2 Q Did the Chief of the Defense Staff arrive?

3 A Yeah.

4 Q And before he arrived, did you know what the name of the
5 Chief of Defense Staff was?

6 A Yeah, they call his name.

7 Q And what name did they call him?

8 A Chief Tom Woewiyu.

9 Q And before you were taken away from the Konola market,
10 had you ever heard the name Tom Woewiyu?

11 A Yeah.

12 Q When had you heard that name before?

13 A He was -- he was the Chief of Defense Staff of all the --
14 all the commanders who anything happened, he have to come to
15 talk to -- to anybody before they get released.

16 Q Okay. Let me -- let me --

17 THE COURT: Why don't you translate that.

18 THE INTERPRETER: He was the Chief of Defense Staff
19 for all the commanders. Before any -- when anything happened,
20 he has to come talk to everybody.

21 MR. THAYER: Okay.

22 BY MR. THAYER:

23 Q So on this fourth day that you're at the base, did the
24 Chief of the Defense Staff, Tom Woewiyu, show up?

25 A Yeah.

1 Q Tell us what that was like. Please tell the members of
2 the jury what you saw when he arrived.

3 A When he arrived he came telling us, children, you
4 shouldn't worry, we are going to liberate our country, we are
5 going to take our country back from ECOMOG, you guys have to
6 be brave and go fight, our country is for us, it's for all of
7 us.

8 Q Let me just stop you right there. When he arrived, the
9 Chief of the Defense Staff addressed just you kids, or did he
10 address the whole group at the base?

11 A He addressed everybody because everybody -- like we were
12 going on -- we were going on a battle in the front, so he
13 addressed everybody in general.

14 Q And who did you -- who did he say you were going to
15 fight?

16 A ECOMOG.

17 Q And when you found out that you were going to battle,
18 what was your reaction?

19 A You have nothing to do.

20 Q Were you happy about it?

21 A You had -- you have to be happy.

22 Q Okay. And when he told you that you were going to the
23 battlefield, tell the jury what the feeling was inside your
24 heart when he told you -- when you first heard that you were
25 having to go to the battlefield.

1 A Oh, I was like -- I barely -- I can't see my mother, I
2 can't see my sister. I was going to do anything. I feel
3 sorry for crying. You are crying but you cannot -- your cry
4 cannot help you.

5 Q And when you started crying and you looked around, what
6 were some of the other children who had been trained with you
7 doing when they found out that they had to go to the
8 battlefield?

9 A They were -- they were crying, but they will tell you,
10 you are not better than all us.

11 Q Who told you that?

12 A Our commander. He said you're not better than all us, so
13 we have to go.

14 Q And when you say "commander," who are you referring to?

15 A Chief -- Chief Zobon.

16 Q Okay. And when he told you that, where was Defense
17 Minister Tom Woewiyu?

18 A He was on the platform talking. They -- the group was
19 large, so some at the back, some in the center, some at the
20 front.

21 Q When you saw the Chief of the Defense Staff Tom Woewiyu,
22 what was he wearing?

23 A White tee shirt, camouflage uniform and trouser, a 45 on
24 his side, and Motorola --

25 Q I'm sorry, he was wearing a white tee shirt, camouflage

1 pants, you said a 45 on the side --

2 A Yeah --

3 Q -- is that correct?

4 A -- it was a Motorola --

5 Q Oh, a Motorola --

6 A -- handset.

7 Q Okay. He had a radio.

8 A Yeah.

9 Q All right. What else did Tom Woewiyu tell you that day,
10 other than that you were going to fight ECOMOG and defend your
11 country? What else did he say to you?

12 A We should keep courage, we'll be back.

13 THE COURT: What did he say?

14 THE INTERPRETER: We should keep courage, we will be
15 back.

16 BY MR. THAYER:

17 Q So what happened next?

18 A In the evening we go in the pickup. While we were going,
19 the people would launch -- the rocket fell among us. I was
20 wounded, found myself in the hospital. Head all hurt, my
21 head bandaged, hand got cut. The rockets blew in my eye, up
22 to this time I can see clear. Tears they came all from my eye
23 this time --

24 THE COURT: Why don't you translate.

25 THE INTERPRETER: When it came the evening, we were

1 all put into the pickup, headed to the battlefront. While on
2 our way, our pickup was launched at. The rocket fell into the
3 pickup and exploded. The next thing, I found myself in the
4 hospital all bandaged up, my head bandaged up, my hand
5 bandaged up.

6 THE COURT: Okay.

7 BY MR. THAYER:

8 Q What had happened to your eyes, sir, as a result of the
9 attack?

10 A The --

11 Q As a result of the rocket?

12 A The explosion affected my eye.

13 Q Before that explosion, how was your eyesight?

14 A It was clear. I could see clear.

15 Q And what happened to your hand as a result of the
16 explosion?

17 A My hand got cut in the process.

18 Q It got cut? Is that what you said?

19 A Yeah. My hand got cut.

20 Q Okay.

21 A See here?

22 Q What hospital were you taken to?

23 A I was taken to Phebe hospital.

24 Q Tell us what happened when you were in the hospital.

25 A It was terrible. Every day, carry wounded soldier, leave

1 them there. To see die though, it is not a easy thing.

2 Q And did somebody come for you and find you?

3 A Yeah, I was laying down there one day, crying in pain, in
4 pain crying. I heard my sister shout out my name -- Monutee,
5 Monutee, Monutee, Monutee, and it Janet. I said oh, someone
6 shouting my name. I said oh yeah, I'm here, I'm laying here,
7 I'm laying down here. I'm dying. Come for me.

8 (Pause in proceedings)

9 A I was in severe pain.

10 Q I'm sorry, sir?

11 THE INTERPRETER: I was in severe pain.

12 A Not a small pain.

13 THE INTERPRETER: It wasn't a small pain.

14 THE WITNESS: Every day people were dying in the
15 hospital.

16 THE INTERPRETER: Every day people dying in the
17 hospital.

18 MR. THAYER: All right.

19 BY MR. THAYER:

20 Q Now, sir, I just have a few more questions. Are you okay
21 to continue? If you need a break, just let us know and we can
22 take a break.

23 A I go ahead.

24 Q How has the injury to your eyes affected your ability to
25 see distance versus up close?

1 A I can't see distant.

2 Q Okay.

3 A Every day I feel pain from my eye --

4 Q Okay.

5 A -- from 12 year up to this time.

6 Q Okay.

7 A I feel pain and I can't see clear and I'm losing my -- my
8 sight.

9 Q Now, can you see up close? If -- if we were to show you
10 something on this monitor, would you be able to read it?

11 A It can't -- be too clear.

12 Q Okay. All right. If I gave you something to look at on
13 a piece of paper up close, can you read that?

14 A If it is -- it were bigger I could read it, but when it's
15 small -- small --

16 THE INTERPRETER: If the font size is bigger I can
17 read it, but if it is small --

18 MR. THAYER: Okay.

19 BY MR. THAYER:

20 Q How about a picture, sir?

21 (Pause in proceedings)

22 MR. THAYER: You know what, this is awfully small.
23 Can we try J-6?

24 BY MR. THAYER:

25 Q Sir, I'm going to show you an image, and I don't think

1 this has been --

2 THE COURT: No, it hasn't.

3 BY MR. THAYER:

4 Q -- introduced into evidence --

5 THE COURT: I don't think so.

6 BY MR. THAYER:

7 Q -- so it will just be shown on the monitor, all right?

8 THE COURT: Okay?

9 BY MR. THAYER:

10 Q And if you can't make it out, that's fine. We'll move
11 on. Can you see the image on your --

12 A Yeah.

13 Q -- on your computer?

14 A Yeah.

15 THE INTERPRETER: Yes.

16 Q Can you see that well?

17 A Yeah.

18 THE INTERPRETER: Yes.

19 Q Do you recognize what that -- what's in that picture?

20 A That's the base.

21 THE INTERPRETER: That's the base.

22 Q Which base?

23 A The Konola base.

24 THE INTERPRETER: Konola base.

25 Q Is that how it looked back when you were taken there when

1 you were 12?

2 A What he say?

3 THE INTERPRETER: What did you say?

4 Q Is that how it looked when you were there when you were
5 12?

6 A When I was there?

7 Q Yes.

8 A Yeah.

9 THE INTERPRETER: Yes.

10 MR. THAYER: Your Honor, I move Government Exhibit
11 J-6 into evidence.

12 MR. WILSON: No objection.

13 THE COURT: Okay.

14 MR. THAYER: Can we have it displayed to the jury,
15 please?

16 THE COURT: All right.

17 BY MR. THAYER:

18 Q Have you been to the Konola base since that day, sir?

19 A No.

20 THE INTERPRETER: No.

21 Q And besides the injury to your eyes and the injury to
22 your hand, did you receive -- were you hurt anywhere else?

23 A Yeah.

24 THE INTERPRETER: Yes.

25 Q That's -- that's okay, sir. Can you just tell us what --

1 what happened? Can you tell us what -- what the injury is?

2 A Some of the rocket hit me here on my head and on my side.

3 Q You said the rocket or part of the rocket hit you --

4 A Particle, yeah, particle.

5 THE INTERPRETER: Particle from the rocket hit me in
6 my shoulder and on my side.

7 Q Okay. And did we take pictures of some of those scars,
8 sir?

9 A Yeah.

10 Q All right. I won't ask you to take your shirt off, sir.
11 Now, you held up your -- your hand I think. I don't know if
12 the jurors -- all the jurors can see it, but can you just show
13 the ladies and gentlemen of the jury what -- what happened to
14 your hand as a result of this attack?

15 A Here?

16 Q That's fine.

17 THE INTERPRETER: No, he said don't take your shirt
18 off.

19 THE WITNESS: Oh, okay.

20 (Pause in proceedings)

21 MR. THAYER: Sir, that's all the question I have.
22 Thank you.

23 THE WITNESS: Thank you.

24 THE COURT: I think -- do you want five minutes?

25 MR. WILSON: I'll do whatever Your Honor wishes.

1 THE COURT: Okay. How long do you think you'll be?

2 MR. WILSON: Not long.

3 THE COURT: Okay. You can go ahead.

4 MR. WILSON: Thank you.

5 CROSS-EXAMINATION

6 BY MR. WILSON:

7 Q Mr. Paye --

8 A Yeah.

9 Q -- I know you were only 12 years old when this happened,
10 but have you -- do you know what date it was that you were in
11 the hospital -- that you came to the hospital?

12 A No.

13 Q You had turned 12 on August 2nd of 1980 -- of 1992,
14 correct?

15 A Yeah.

16 Q And do you know how many weeks or months had passed from
17 your birthday to when you got hit in the rocket attack?

18 A No.

19 Q Do you have any idea what month it was that you got hit
20 by the rocket?

21 A No.

22 Q Do you know who fired the rocket -- what -- what group
23 fired the rocket?

24 A No.

25 Q But you were on a -- you were with a group of individuals

1 who were going to be fighting for the NPFL, right?

2 A Yeah.

3 Q Do you know what day you got out of the hospital?

4 A No.

5 Q Do you know if you were in the hospital at Christmas
6 time?

7 A What he say?

8 THE INTERPRETER: What did you say?

9 Q Do you know if you were in the hospital at Christmas
10 time?

11 A Have to explain.

12 THE INTERPRETER: Do you know whether you were in
13 the hospital during Christmas time?

14 THE WITNESS: No.

15 Q Do you know how old you were when you got out of the
16 hospital?

17 A No, it was the same year that I was in the hospital.

18 THE INTERPRETER: It was the same year when I left
19 from the hospital.

20 Q Okay. Did anybody tell you what day it was when you got
21 out of the hospital?

22 A No.

23 Q You said in your -- earlier in your testimony that it was
24 the Chief of Defense Staff who came to speak to you?

25 A Yes.

1 MR. WILSON: I have no further questions, Your
2 Honor.

3 THE COURT: Okay. Anything further, Mr. Thayer?

4 MR. THAYER: No, Your Honor, no.

5 THE COURT: Okay.

6 MR. THAYER: Thank you.

7 THE COURT: Okay, you may step down.

8 THE WITNESS: Thank you.

9 (Witness excused)

10 THE COURT: Okay, why don't we take -- take ten
11 minutes. Members of the jury, remember your recess
12 instructions. See you in ten minutes.

13 (Recess taken, 3:31 p.m. until 3:48 p.m.)

14 THE COURT: What was the name of that witness?

15 MR. THAYER: The last one?

16 THE COURT: Yes.

17 MR. THAYER: Iven, I-V-E-N --

18 THE COURT: Hm-hmm.

19 MR. THAYER: -- last name Paye, P-A-Y-E.

20 THE COURT: Okay, thank you.

21 (Jury in, 3:49 p.m.)

22 THE COURT: Okay, all right, your next witness,
23 please.

24 MR. THAYER: Your Honor, the Government calls Nyen
25 Gondon.

1 COURTROOM DEPUTY: Please move forward and remain
2 standing. Raise your right hand, sir.

3 NYEN GONDON, GOVERNMENT'S WITNESS, SWORN

4 COURTROOM DEPUTY: You have to say it a little bit
5 louder, sir.

6 Thank you. Please have a seat. Sir, would you
7 state and spell your name for the record, please?

8 THE INTERPRETER: Say your full name and spell it,
9 please.

10 THE WITNESS: My name is Nyen Mrzzie Gondon.

11 THE INTERPRETER: My name is Nyen Mrzzie Gondon.

12 THE COURT: Okay, let's see, is he able to -- Mr.
13 Gondon -- is he going to be able to speak, do you think? I
14 mean understand? If you don't understand, you turn to the
15 translator, okay? Do you understand me?

16 THE WITNESS: All right.

17 THE COURT: Okay. Again, speak into the -- into the
18 microphone.

19 THE WITNESS: All right.

20 THE COURT: Thank you. Okay.

21 MR. THAYER: May I proceed, Your Honor?

22 THE COURT: Of course.

23 UNIDENTIFIED SPEAKER: Do you want him to spell his
24 name, sir?

25 MR. THAYER: Just going to do it. Thank you.

1 DIRECT EXAMINATION

2 Q Can you please spell your name for the record, sir?

3 A N-Y-E-N, M -- capital M-R-Z-Z-I-E, G-O-N-D-O-N.

4 Q Sir, can you tell the ladies and gentlemen of the jury
5 what your date of birth is?

6 A I was born in Nimba County, January 4th, 1976.

7 Q January 4th, 1976?

8 A '76.

9 Q Okay. You said you were born in Nimba County?

10 A Nimba County, January 4th, 1976.

11 Q And what town were you born in in Nimba County?

12 A I was born in Ganta.

13 Q I'm sorry, what?

14 A Ganta. Ganta City -- Gompaa -- Ganta City.

15 Q And can you spell that for the record, please, the name
16 of that city?

17 A Ganta is G- -- somebody help me with --

18 THE COURT: We can do it phonetically --

19 MR. THAYER: Okay.

20 THE COURT: -- don't worry about that.

21 BY MR. THAYER:

22 Q G-A-N-T-A?

23 A Yeah --

24 Q -- Ganta?

25 A -- Ganta.

1 Q Okay. And can you tell the members of the jury whether
2 you belong to any particular ethnic group?

3 A I belong to Mano ethnic tribe.

4 Q The Mano tribe?

5 A Mano tribe -- Mano.

6 Q All right. And were both of your parents Mano?

7 A Yes.

8 Q Can you tell the members of the jury how far you've
9 gotten in school?

10 A I drop -- I left on elementary level.

11 Q And when was that? When did you leave school? Do you
12 remember how old you were when you left school?

13 A No, I was very small.

14 Q Okay. And why did you leave school?

15 A Because the war.

16 Q What do you do for a living now to support yourself?

17 A I ride a bike. I'm a motorcyclist.

18 Q Okay.

19 A Yeah. For now.

20 Q And when you say you're "a motorcyclist," what do you do
21 with the motorcycle?

22 A I transport people from one end to another.

23 Q Okay. So you put people on the back of a motorbike?

24 A Yeah, motor -- motorbike.

25 Q All right. And is that a common way of -- of being a

1 taxi in -- in Liberia?

2 A Yes, to live, yeah.

3 Q Okay. And that's how you support your family?

4 A Yes.

5 Q Tell us about your family. How many children do you
6 have?

7 A I have six living children.

8 Q Okay. And what are the age ranges for your six children?

9 A The first one is 21 years of age.

10 Q And how about the youngest?

11 A The last one -- the last two, they are six years.

12 Q Six years.

13 A Yeah.

14 Q And they're back home in Liberia right now?

15 A Yes.

16 Q When you were growing up, who did you live with, sir?

17 A I live with my aunt.

18 Q And why did you live with your aunt?

19 A Because I was with my grandmother when she came and took
20 me and brought me with her in Kakata.

21 Q All right. Did something happen to your father when you
22 were very young?

23 A I did not see my father. I was very small when my father
24 passed off.

25 Q Okay. And when you were living with your aunt and

1 growing up with her, where was that?

2 A Kakata, Margibi.

3 Q Kakata in Margibi County?

4 A Yeah.

5 Q All right. And did your aunt have children of her own?

6 A Yes.

7 Q How many?

8 A There are many.

9 Q There were a lot of you living in the same house?

10 A Some of -- some were over there, some were not there.

11 Q And were you close to one of her children in particular?

12 A Yes.

13 Q Who was that?

14 A Obie.

15 Q Say it again?

16 A Obie. Obie.

17 Q Obie?

18 A Yeah.

19 Q All right. And how close were you?

20 A He was my older brother because -- in like he was a
21 cousin and we call one another brothers, so he was a older
22 brother for me and I next to him when it come to the children

23 --

24 Q Okay.

25 A -- into the family.

1 Q So even though you're cousins, you considered each other
2 brothers --

3 A Right.

4 Q -- is that correct?

5 A Yeah.

6 Q And what did your aunt do to support you and Obie and
7 everybody else?

8 A My aunt worked teaching, at the same time, sometimes she
9 sells bread. We sell it, we help her to sell bread around --

10 Q All right.

11 A -- before --

12 Q And so did you help her sell bread?

13 A Yes.

14 Q With Obie?

15 A Yes.

16 Q And where would you sell that bread?

17 A I sell it around in Kakata in the community.

18 Q Now, can you tell the members of the jury when you
19 remember the war first coming to Kakata? Do you remember what
20 year it was?

21 A Yeah. In 1990.

22 Q And tell the members of the jury what happened when the
23 war came when you first experienced it.

24 A It was one afternoon, my auntie went to work. She came
25 home telling us that oh, she got information that -- that

1 everybody should stay at the house -- you should remain at a
2 house. Fuel lit up. AFL soldiers came down. Everybody
3 should go indoor. They scared for you. Nobody should come
4 outside.

5 Q Okay. So your aunt received some information to stay
6 inside and then some AFL soldiers came, is that right?

7 A Yeah.

8 Q And they told you to stay where?

9 A They are to stay home, not to go anywhere.

10 Q Okay. What happened after that?

11 A After that, we remain in. The next morning, early in the
12 morning we hear shooting, guns shooting. We were inside. We
13 went under the bed. Fig -- going shooting for a long season
14 (phonetic), we heard people knocking at a door.

15 Q You heard some people knocking at the door?

16 A Yeah, yeah, some people knocking at the door.

17 Q And who were these people?

18 A Later when the door would open, when they came in and
19 start searching, we were under the bed. They brought us all
20 out. Some were in messed up color clothes, head towel red
21 cloth on their head --

22 Q Okay, let me just stop you right there. So there was
23 knocking on the door and where were you? Where were you
24 hiding?

25 A I was under the bed.

1 Q Under a bed?

2 A Yeah.

3 Q Okay. And the people that you saw when you opened up the
4 door, can you tell the members of the jury what -- how they
5 were dressed?

6 A They were dressed in just ordinary clothes, but they had
7 red -- a red cloth towel on the head.

8 Q Red cloth tied --

9 A Red cloth on top on the head with different -- with shirt
10 on there.

11 Q All right. And were they armed? Did they have weapons?

12 A Yeah, they had weapons.

13 Q What kind of weapons?

14 A Some -- some had AK, some had Prairie Dog (phonetic).

15 Q Did you know who these people were?

16 A Yeah, the -- after we came down there they told us, got
17 to know that they was a rebel, they was a rebel --

18 Q Which -- which rebels? Which group?

19 A Charles Taylor rebel.

20 Q Okay. And when they came into your home, what were they
21 looking for?

22 MS. HENRY: Objection, Your Honor.

23 THE COURT: Sustained.

24 MR. THAYER: Okay.

25 BY MR. THAYER:

1 Q You said that there were a bunch of people at your front
2 door. What did they do?

3 A What?

4 Q You said that there were a bunch of rebels at your door,
5 knocking on your door. What did they do?

6 A Well they came inside, looking all around. They said
7 look --

8 MS. HENRY: Objection, Your Honor, to the hearsay.

9 THE COURT: Well, they came in, he heard them, no.
10 Overruled. It's not -- it doesn't go to the truth.

11 BY MR. THAYER:

12 Q When they came into your house, what were they doing and
13 what were they saying?

14 A Yeah, they were searching all around -- you all got
15 soldiers here? You all got soldiers here? Checking all over
16 for soldier -- for AFL soldier.

17 THE COURT: Please translate that.

18 THE INTERPRETER: When they came inside they were
19 searching in the house asking, you guys have soldiers here,
20 you have soldiers here.

21 BY MR. THAYER:

22 Q And what did you say?

23 A I did not answer. The question was mine -- and they were
24 talking about, I did not answer.

25 Q Okay. So who were they talking to?

1 MS. HENRY: Objection, Your Honor.

2 THE WITNESS: They were talk --

3 THE COURT: Overruled.

4 THE WITNESS: They were talking to my auntie because
5 I was unable to answer them.

6 MR. THAYER: All right.

7 BY MR. THAYER:

8 Q And I take it you didn't have any soldiers in your house?

9 A No.

10 Q So what happened next?

11 A Yes, later some of the soldier -- the rebel left out the
12 house and some of them went at a other neighbor house, then
13 from there somebody went (inaudible).

14 Q Now, these rebels that showed up at your house with the
15 red cloth, armed, were they all adults?

16 A What?

17 THE INTERPRETER: What?

18 Q The rebels who showed up at your house and were searching
19 for the AFL soldiers, were they all adults? Were they all
20 grownups?

21 A Yeah, they were -- they were big, big men.

22 Q Okay. So those were adult rebels that showed up at your
23 house on this day when the war came, is that right?

24 THE COURT: You can ask the question.

25 THE INTERPRETER: They were all big men that came to

1 your house?

2 THE WITNESS: Yeah, they were the big, big men that
3 came to my house.

4 MR. THAYER: All right.

5 BY MR. THAYER:

6 Q And when they left, what did you do? What did your
7 auntie do?

8 A When they left, yeah, some of them left. Later, a few
9 days, another attack came. Yeah, the government troop came
10 and attack again, so later we fled. We went in the bush.

11 Q Okay. So the government troops counter-attacked the
12 rebels and you fled to the bush, is that right?

13 A Yeah.

14 Q Where did you go?

15 A We went farther, Bong Mines Highway, on Cole Farm.

16 THE COURT: I can't hear. I can't hear him because
17 he --

18 THE WITNESS: Yeah --

19 THE INTERPRETER: Get closer to the microphone.

20 THE WITNESS: -- we went at Bong Mines Highway on
21 Cole Farm.

22 MR. THAYER: Okay.

23 BY MR. THAYER:

24 Q You mentioned a highway. What's the name of the highway?

25 A Cole Farm -- Cole Farm, Bong Mines Highway.

1 Q The highway is Bong Mines?

2 A Highway.

3 Q Okay. Bong Mines Highway?

4 A Yeah.

5 Q All right.

6 A The village near is Cole's Farm.

7 Q And there's a village nearby called Cole's Farm?

8 A Yeah.

9 Q Okay. So where is -- what county is Bong Mines in?

10 A Bong Mine is I think may be in the Bong County, lower
11 Bong County.

12 Q Lower Bong County?

13 A Yeah.

14 Q All right. And why did you go to Cole's Farm?

15 A Yeah, I went there for safely, to go and hide there
16 because the shooting was too much. We couldn't stand it at
17 our house so we ran in the bush.

18 Q And how long did you stay at Cole's Farm?

19 A We stayed there like for so many months before return
20 back to Kakata.

21 Q And when you returned to Kakata, did you go back to the
22 house that you left?

23 A Yes.

24 Q And tell us what happened next.

25 A When I went back to the house, some of the soldiers were

1 at the neighbor house now -- in the neighbor house. We moved
2 back to our house. When we got there, some teens were loot us
3 from the house, like clothes and things they were looting from
4 the house so we went back in the house, were there. The other
5 soldiers are in the neighbor house, two other guys were there
6 that were close now as friend. One name is Boomie (phonetic)
7 and one name is Alfonso.

8 Q Okay, let me just stop you right there. You said when
9 you returned to Kakata to the house that you left, there were
10 some soldiers in the neighbor's house, is that right?

11 A Yeah.

12 Q And when you say "soldiers," what group are we talking
13 about?

14 A The rebel soldiers.

15 Q And do you know what group they belonged to? What was
16 the name of the rebel group?

17 A It belong to Charles Taylor group.

18 Q All right. And do you know the -- the name of Charles
19 Taylor's group?

20 A Yeah, NPFL.

21 Q All right. And I think you mentioned that you came to
22 know the names of some of these soldiers. Can you tell us
23 what those names are?

24 A Yeah, there's two guys that were close to us. They used
25 to go out and bring our foods down. Two of them, I was close

1 to two of them as friend. Used to call me all up again, up
2 again. Two of their name were Boogie and Alfonso.

3 MR. THAYER: Can we have that translated, Your
4 Honor?

5 THE COURT: Sure.

6 THE INTERPRETER: Yes, the two guys that was at the
7 neighbor house, one of them name was Boogie and the other name
8 was Alfonso.

9 THE WITNESS: Alfonso.

10 BY MR. THAYER:

11 Q And did you know Boogie and Alfonso before the war?

12 A No.

13 Q And did they decorate the house at all? Did they do
14 anything to the neighbor's house?

15 A Yeah, they had red cloth at the house they were living.

16 Q And what was the significance of hanging a red cloth?

17 A I don't know.

18 Q Okay. So tell us about what it was like living in Kakata
19 with the NPFL rebels next door. How did that go?

20 A Yeah, well they're leaving no more late. Stayed doing
21 the most thing that was most trouble. We laid there for
22 earplugs with them.

23 Q So it sounds like you coexisted with the NPFL for -- for
24 over a year? Is that what you're telling is?

25 A Yes, we were there with them because we were under their

1 control. We not see no (inaudible) no more.

2 Q All right. So Kakata was under NPFL control --

3 A Yes.

4 Q -- do I have that right?

5 A Yeah.

6 Q And did they actually bring you food sometimes?

7 A Yes.

8 Q And at some point did you return to Cole's Farm?

9 A Yes. When --

10 Q Let me just stop you right there. Do you remember what
11 year it was when you returned to Cole's Farm?

12 A Yes, in '92 I went back to Cole Farm.

13 Q Why? Why did you go back?

14 A Yeah, we went there to make a farm, even to co-farm and
15 (inaudible) or to eat to survive.

16 THE COURT: Translate that, please.

17 THE INTERPRETER: Yes, we went by the Cole's Farm to
18 make farm. Sometime we cut palm nuts from the palm tree to
19 make oil to go and sell to get food.

20 THE COURT: Okay.

21 BY MR. THAYER:

22 Q And in Liberia, just tell us, what is palm oil used for?

23 A For eating.

24 Q So tell us, how long were you in Cole's Farm farming?

25 A All of us were there like -- I can't remember the year,

1 the total months I was there for. Because we go do the
2 farming for a little. We were there doing the farming at the
3 same time, go in the bush, (inaudible) you caught it.

4 Q I'm sorry, I didn't understand the end of -- end of your
5 answer, sir. You said you were there to make a farm, and then
6 what?

7 A Cutting palm also.

8 Q Okay, cutting palm?

9 A Yeah.

10 Q All right. And did something happen one day when you
11 were at Cole's Farm farming?

12 A Yes. In '92 when we were there, Obis and myself were
13 left waiting in the bush. My auntie, the other people left,
14 other people that went to the village and left some on their
15 farm or their village, older people then children, so we left
16 and went in the bush. I was in this palm tree cutting palm so
17 I only heard a -- men -- a group of men came in and said halt,
18 stop, drop the cutlas.

19 Q Okay, let me just stop you right there. So you're on
20 Cole's Farm one day. Tell the members of the jury exactly
21 what you're doing and where you are when this happens. What
22 are you doing?

23 A Yes, I was in a tree cutting a palm.

24 Q Okay. And what were you using to cut the palm?

25 A Cutlas.

1 Q A cutlas?

2 A Yeah.

3 Q What we call a machete?

4 A Machete.

5 Q Okay. And somebody tells you something. What did they
6 tell you?

7 A Yes, the one hour in a palm tree, Obis was sitting --
8 Obis was on the palm tree, like they (inaudible) for me,
9 called your palm tree is here, Obis on our side standing,
10 Later I hear -- when I looked down I saw the (inaudible) on me
11 point going at me. Said drop the cutlas, come down. I drop
12 the cutlas, I came down with a reef (phonetic) when I was --

13 Q You said you came down with a reef?

14 A Yeah, reef. Reef.

15 Q What does that mean, sir?

16 A The one you used to -- the ladder you use to climb on the
17 palm tree.

18 Q Okay.

19 A Yeah.

20 Q So what is reef? Tell us what reef is.

21 A Reef is in the bush with a lot of -- only you cut it, you
22 trim it, you put it on a palm tree clamp so, you know,
23 something in the bush.

24 Q Okay. Is reef a type of tree or a type of plant?

25 A It's the -- from the flower to a tree. There's a flower

1 that got (inaudible) in it, yeah.

2 Q And you turn that into a ladder?

3 A Yeah.

4 Q And that's what you use to climb up the tree?

5 A Yeah.

6 Q Okay. So you come down. What happens?

7 A Then when I came down, saw Obis sitting on the ground, no
8 shirt, only they took our shirt, told us we should pass in
9 front of them to get back to the village.

10 Q Who told you that?

11 A The soldiers that came.

12 Q You said the soldier was armed, right?

13 A Yeah.

14 Q And what had he told Obis about his shirt?

15 MS. HENRY: Objection, Your Honor.

16 THE COURT: Overruled. I don't know --

17 BY MR. THAYER:

18 Q When you went up the tree, did Obis have a shirt on?

19 A Obis had a shirt on.

20 Q And when you came down did he have his shirt on?

21 A No.

22 Q Okay. And what happened next?

23 A Yeah, when we get to the village, when we got there a
24 group of men were lying on their back in front of the sun.

25 The women were sitting, the children were sitting, the older

1 people were sitting on one side. But the able-body men that
2 you and myself, the other people, they were lying on their
3 back lying with with eyes shut.

4 Q All right. So there were men lying flat on their backs?

5 A Hm-hmm.

6 Q Where were their arms?

7 A What?

8 Q What position were their arms in?

9 A Oh, the armed men was surrounded them. They came by with
10 another group of --

11 THE COURT: Is there a translation or is it just the
12 regular English?

13 THE INTERPRETER: Regular English.

14 THE COURT: Oh, regular English, okay.

15 MR. THAYER: So I'll ask a better question, Your
16 Honor.

17 THE COURT: All right.

18 BY MR. THAYER:

19 Q You referred to men lying on the ground.

20 A Yes.

21 Q Those men who were lying on the ground, did they have
22 shirts on?

23 A No.

24 Q And those men who were lying on the ground without their
25 shirts, where were their arms? Their arms?

1 A Oh. Oh, they lie -- they straighten their hands
2 straight, they were laying on their back.

3 Q Okay. So what happened next?

4 A Later, when they were given the -- they should take all
5 able body men and the boys to Bong Mine.

6 Q Can you say that again, please?

7 A Order were given by their commander --

8 MS. HENRY: Objection, Your Honor, as to hearsay.

9 THE COURT: Well, overruled. But the question
10 becomes did you hear this? Did you hear the command?

11 THE INTERPRETER: Did you hear the command?

12 THE WITNESS: Yeah.

13 BY MR. THAYER:

14 Q So you just referred to an "order," I think is the word
15 you used. What was the order that you heard given?

16 A Order -- yeah, the order that was given out, all the men
17 that were lying on the -- on their back, they should take down
18 to Bong Mine.

19 Q Okay. And what happened?

20 A Yes, after that they took us to Bong Mine. There were a
21 few children among the older men that were there --

22 Q All right, let me just stop you right there. Do you
23 remember what year this was?

24 A '92.

25 Q And so you were 16, if I'm doing my math right?

1 A Yes.

2 Q Among the people that were taken to Bong Mines, were
3 there people younger than you? You just mentioned children.
4 Were there people younger than you who were taken to Bong
5 Mines?

6 A Yes.

7 Q How young?

8 A Oh, I can't give you exact age but they were like below
9 my age, some of them were below my age and some were -- some
10 people were above me.

11 Q All right. So tell us what happens when you get to Bong
12 Mines.

13 A Yeah, when we got to Bong Mine, we went, saw some group
14 of men there also that were on only -- other of the other
15 soldiers that were there carry all, we joined in.

16 Q Okay, hold on, let me just stop you right there. When
17 you get to Bong Mines you said you see some other men, is that
18 right?

19 A Yeah.

20 Q And were these other men soldiers or were they not
21 soldiers?

22 A Some were -- some were soldiers and some were not
23 soldiers.

24 Q Okay. And what were you told to do?

25 A (Inaudible) when I -- when we got there, sat everybody

1 down. Order were given by the commander that all those are
2 here they should be in keeping, anybody make attempt to escape
3 they should kill them.

4 Q So when you get to Bong Mines, you're with a group of
5 other people who were taken at the same time as you, is that
6 correct?

7 A Yeah.

8 Q How big was this group that you were with?

9 A There were plenty. I can't give you figures.

10 Q All right. And when you got to Bong Mines, did you see
11 any other people who had been taken there in the same fashion
12 that you were?

13 A Yeah, people were -- one person -- group of people were
14 already on the ground there that they already captured and
15 carried in there.

16 Q All right. And who were these people who captured you
17 and took you to Bong Mines?

18 A That was the same NPFL group.

19 Q And who was it that gave the order that if anyone tried
20 to escape they would be killed? Who gave that order?

21 A The first time we went to Bong Mines before we went to
22 Cole Farm I never knew who of those people actually were the
23 commander, but later two of the people -- men, that's when the
24 commander first came, gave the order. One name is General
25 Zaar --

1 Q Okay, well we'll get to that in a minute.

2 A Okay.

3 Q I just want to stick to this first day when you arrived
4 at Bong Mines.

5 A Yeah.

6 Q An NPFL soldier -- you don't remember his name --

7 A Hm-hmm.

8 Q -- orders everybody to stay or they're going to be
9 killed --

10 A Yeah.

11 Q -- is that right?

12 A Yeah.

13 Q What happens next when you're at Bong Mines?

14 A When I was in Bong Mines a few days after, soldiers came,
15 we convoy in a car. When it got dark, they call for
16 formation. All formation, formation. Everybody should come
17 out. If you were in, everybody came outside.

18 Q All right. Where were you sleeping in Bong Mines? What
19 kind of a place was this?

20 A It was in a big house, yeah.

21 Q Big house?

22 A Yeah, one big house or inside.

23 Q And were you sleeping in the same house as the NPFL
24 soldiers or were you sleeping somewhere else?

25 A We were in the house. The soldiers were -- some were

1 outside surrounding the house. We were inside.

2 Q Okay. So you said that at some point you're called to
3 formation?

4 A Yeah.

5 Q And when you were called to formation, were you called to
6 formation with other adults or were you called to formation
7 and placed with other people, with children? How did that
8 work?

9 A I don't get out frankly.

10 Q All right, I'm sorry. It was not a clear question. When
11 you were called to formation, tell us about how that happened.
12 What did you do when you were called to formation?

13 A When I was called outside for formation, we didn't have
14 arm that they brought us. Were standing, armed men surround
15 us. Then commander -- there were three that I can remember,
16 but other time we already knew who are they.

17 Q Okay. So when you're called to formation, are you
18 standing with other children your age?

19 A Yes.

20 Q And are you standing with some children who were younger
21 than you?

22 A Yes, we were just basically with one another.

23 Q And none of you had weapons at that point, is that right?

24 A No.

25 Q Okay. And did you see these commanders arrive that

1 you've been talking about?

2 A Yes, I saw them.

3 Q Tell us about that. Tell us what happened when these
4 commanders arrived. How many vehicles? Who was it? Tell us.

5 A When the commanders then came, they came with arms full
6 in it. Two -- first person that talked to us was General
7 Zaar, (inaudible). The last person that talked was Tom
8 Woewiyu.

9 Q Okay. So --

10 THE COURT: You're asking two -- sometimes you ask
11 two questions and then it's very hard for him to answer.

12 BY MR. THAYER:

13 Q So, sir, when these people arrived -- when the commanders
14 arrived, were you gathered in a field? Or tell us about where
15 physically you were -- you were placed.

16 A We came in the middle of the town.

17 Q In the middle of the town?

18 A Yeah.

19 Q All right. And did you yourself see the vehicles arrive
20 that the commanders were in?

21 A When -- when before they call for formation, the cars
22 already come. They were packing, yeah.

23 Q Okay. And when the commanders addressed you, where were
24 they standing?

25 A Like the way you standing, we were standing, that

1 distance.

2 Q Okay. And were they standing on some kind of a platform
3 or were they just standing on the ground like everybody else?

4 A Standing on the ground. There was no platform.

5 Q Okay. Tell us the name again of the first commander who
6 you remember speaking to you and the other people that day.

7 A General Zaar and Bruce Quainoo.

8 Q Okay. Is that the same person? I'm sorry. Was that
9 general -- when you say General Zaar, is that -- that's one
10 person?

11 A Yeah, General Zaar is one person.

12 Q Okay.

13 A Bruce Quainoo is one person.

14 Q Okay. What's the second name again? Can you just say it
15 slowly? The second name.

16 A Bruce Quainoo.

17 Q Okay. Bruce -- can you spell the last name Quainoo?

18 A Quainoo.

19 Q Okay. Do you know how to spell it?

20 A No.

21 Q Okay. Neither do I so, Bruce Quainoo. All right. And
22 who was the third person that spoke?

23 A Tom Woewiyu.

24 Q Now -- and we'll talk about that in a second -- General
25 Zaar, when he addressed you, what did he talk about? What did

1 he say? If you can remember.

2 A General Zaar told us that everybody should remain in
3 queue, no one should make attempt to escape.

4 MS. HENRY: Your Honor, I'm just going to object to
5 the hearsay again, for the record.

6 THE COURT: Hearsay? For the truth of the matter?

7 MS. HENRY: It's out of court -- Your Honor, it's
8 out of court statements being offered for their truth.

9 THE COURT: No, it is not. I don't think it --
10 what's your position?

11 MR. THAYER: No, Your Honor, it's not being offered
12 for the truth of the matter.

13 THE COURT: What is it being offered for?

14 MR. THAYER: It's being offered to show what
15 happened next as a result of what these people are saying and
16 doing at this base with this witness, Your Honor.

17 THE COURT: Okay. And he's not telling anything
18 about the truth, he's just saying -- he's -- it's not a fact
19 that -- of the truth, it's simply a statement that's being
20 made. Your objection is overruled.

21 BY MR. THAYER:

22 Q So please continue, sir. General Zaar is addressing your
23 group. He said something to the effect of stay in queue --
24 you said stay in line?

25 A Yeah, yeah.

1 Q Or what?

2 A Yeah, so remain in line, that we were going to go on the
3 front line, we were going to be trained a few this time to go
4 and fight.

5 Q All right.

6 A The same as Bruce Quainoo.

7 Q I'm sorry, did you say that Bruce Quainoo said the same
8 thing?

9 A Yes. Yes.

10 Q Okay. And he was the second person to speak?

11 A Yeah.

12 Q Now, you mentioned that the third person to speak was Tom
13 Woewiyu.

14 A He was the last person on the talk.

15 Q Sorry, the last person.

16 A Yeah.

17 Q Beg your pardon. Before that day, had you heard the name
18 Tom Woewiyu?

19 A No.

20 Q Had you ever seen him before?

21 A No.

22 Q And that day when he addressed you, did he say who he
23 was? How did he identify himself?

24 A Yeah, he would identify himself, also even his soldiers
25 that were there give (inaudible), call him name.

1 Q Okay, let me back up a second. When Tom Woewiyu arrived,
2 can you tell the members of the jury how he was treated by the
3 other soldiers who were there?

4 A He was honored.

5 Q He was?

6 A Honored. Honored.

7 Q Honored?

8 A Yeah.

9 Q Okay. How was he honored? What could you see?

10 A He do -- I should show how they --

11 Q Sure --

12 A Okay.

13 Q -- please show the jury how he was honored, what -- what
14 people do.

15 A "Yes, sir."

16 Q They addressed him as sir?

17 A Yeah.

18 Q Did they salute in any fashion?

19 A Yeah, saluted.

20 Q Okay. And when he spoke to you, did he say anything
21 about who he was by -- whether by his name or his position?

22 A Yes. When he addressed us that everybody should get
23 prepared, curfew, soldier out, they were going to train us in
24 a shorter time, two weeks to get used to arm, we're going to
25 go to the front to fight. After that, he introduced his self,

1 everything.

2 Q Okay. After he said that you're going to be trained to
3 go to fight, you said that's when he introduced himself?

4 A He introduced himself.

5 Q Okay. Tell the members of the jury how it was, as best
6 as you can remember the words that he used, how did he
7 introduce himself? What did he say?

8 A Yeah, he was the Defense Minister. He was seven of the
9 Defense Minister in NPFL.

10 Q And did he say his name, sir?

11 A Tom Woewiyu.

12 Q Okay. Did he say anything else that you can remember?

13 A Later we get in queue, we surrounded, we started go
14 around singing.

15 Q Singing?

16 A Singing, yes, singing, sir.

17 Q Now, when you went around in a circle singing, was it
18 that day or was it on another day?

19 A Oh, God, the first time they came when I'm talking about
20 were in circle. Second time, we still went in circle singing.

21 Q Okay. Okay. So there was two times when you sang? All
22 right. Tell the members of the jury about how you sang. What
23 -- what was this business about singing? Tell us.

24 A That was (inaudible) so I -- I don't go out singing,
25 yeah.

1 Q How did you learn this song?

2 A Hmm?

3 Q How did you learn this song?

4 A Just all the soldiers raise the song, we answer.

5 Q Okay.

6 A Yeah.

7 Q So one of the soldiers would sing part of the song and
8 you would --

9 A We were answering them.

10 Q Okay. You would repeat or answer the song?

11 A Yeah, I'm sorry.

12 Q All right. Do you remember any of the song?

13 A I don't go around singing so I don't got --

14 Q Say it again?

15 A Hmm? I don't got good voice of singing. Yeah.

16 Q Give it a try, just sing a couple bars.

17 THE COURT: You could -- you could take some water
18 if you need.

19 BY MR. THAYER:

20 Q Yeah, if you need some water I could bring some.

21 (Pause in proceedings)

22 A "I'm on the battlefield for my love" -- I cannot remember
23 song.

24 Q I think we get the gist. All right.

25 A Yeah.

1 Q Now, did Tom Woewiyu tell you anything else that day
2 before he left?

3 A Yes. He gave order -- command, that no one should make
4 an attempt to escape, if anybody escape, the person should be
5 executed. Anybody make an attempt to escape, the person
6 should be executed. He left arm and ammunition on the ground
7 so we can be trained with it.

8 Q Okay. Tell us about the training. What kind of training
9 did you receive?

10 A We jog, know how to loosen the -- loosen the gun, put it
11 back together. Advance it, learn how to fire it.

12 Q When you say "advance it," you mean cock the gun --

13 A Cock it --

14 Q -- so there's a bullet --

15 A -- yeah, cock it.

16 Q -- in the chamber? Okay.

17 A Yeah.

18 Q Were you told during this meeting, this gathering where
19 these three commanders addressed you, were you told who you
20 were going to be fighting against?

21 A A second time when he came, that's --

22 Q All right, let's stick to the first time then. The first
23 time, were you told where you were going to be fighting?

24 A No, the first time the soldier want to go on the front
25 line I was not told who I'm going to fight.

1 Q Okay. Tell us a little bit more about the training you
2 received.

3 A Training is jog, take cover -- how to take cover, lay
4 down flat --

5 Q Jogging and taking cover? Okay.

6 A Take cover. How to shoot.

7 Q And among the people who were receiving training, were
8 there children younger than you? You were 16. Were there
9 children younger than you?

10 A Yeah.

11 Q How young?

12 A I don't know the exact age but some were below 14, 13,
13 12.

14 Q Okay. And who was training you? Who were the NPFL
15 fighters who were training you?

16 A Just the person that was training me was Alfonso.

17 Q Alfonso.

18 A Alfonso.

19 Q Your neighbor from Kakata?

20 A From Kakata. He came along.

21 Q Now, the first time that you saw Tom Woewiyu when he came
22 and addressed you, what was he wearing?

23 A Tom Woewiyu had a khaki trouser with white tee shirt and
24 brown boots.

25 Q And was he armed?

1 A He have a pistol and grenade.

2 Q And a grenade?

3 A Yeah.

4 Q Okay. How long were you trained?

5 A Just two weeks.

6 Q And what happened after the two weeks?

7 A Two weeks, were taken -- last when he came back for the
8 last time, group would divide into two --

9 Q Okay, let me just stop you there. When you say "when he
10 came back the last time," who are you talking about?

11 A Tom Woewiyu and General Zaar, the whole convoy came last
12 minute last time were armed with ammunition, distribute it --

13 Q Okay, let me just stop you right there. So Tom Woewiyu
14 would turn with General Zaar you said in a convoy? Is that
15 the word you used?

16 A Yeah.

17 Q Okay. And they brought what with them?

18 A Brought weapon.

19 Q What kind of weapons?

20 A AK and all different weapons.

21 Q And what happened with those weapons?

22 A They were distributed among us.

23 Q And who actually gave you your weapon?

24 A My weapon was given to me by Alfonso.

25 Q And what kind of weapon was it?

1 A AK-47.

2 Q And were weapons given to the child soldiers, some of
3 whom you said were 13 years old?

4 A Everybody was issued an arm.

5 Q And where was Tom Woewiyu when this was happening?

6 A He was present.

7 Q He was present you said?

8 A Yeah. He gave the order.

9 Q Which order did he give?

10 A About distribute the arms, that we're going to go to the
11 battlefield.

12 Q Okay. So what happened next? The weapons get
13 distributed after Tom Woewiyu orders them to be distributed.
14 What do you do next?

15 A After the weapons was distributed, we circle around
16 again, we sing songs. From there, other group left, went a
17 long way, --

18 Q Let me just stop you right there. The weapons are
19 distributed, you sing songs again.

20 A Yeah.

21 Q Does anybody tell you what your assignment is going to
22 be?

23 A Yes. We're going to Duallah (phonetic) to go attack
24 (inaudible). We told that we're going to go fight the ECOMOG
25 in Duallah.

1 Q Okay. Let's just break that down a little bit. Who was
2 it that told you who and where you were going to fight?

3 A Tom Woewiyu the one that give the order to us, everybody
4 is going to Duallah to go fight the ECOMOG soldiers.

5 Q Okay. Everybody is going to go where, sir?

6 A Duallah. Duallah.

7 Q Duallah?

8 A Duallah, in Mesurado (phonetic).

9 Q Okay. And where is Duallah? You said it's in Mesurado,
10 but where is it? If you can tell the members of the jury.

11 A When going Cape Mount Highway, Cole -- around Cole area.

12 Q Okay. You said when you go down the Cape Mount Highway?

13 A Yeah, when you're leaving from Monrovia past Freeport
14 going all the way to go Bong Mines Highway (phonetic).

15 Q Okay.

16 A Bong Mines Highway, Bong Mines Highway, sir.

17 Q Okay. And you mentioned Caldwell. What's Caldwell?

18 A Caldwell is in the right-hand side when you're going.

19 Q Going towards where?

20 A To go Cape Mount Highway.

21 Q Cape Mount Way?

22 A Yeah, Cape Mount --

23 Q And --

24 A -- Bong Mines Highway.

25 Q Okay.

1 A Yeah.

2 Q And what is Cape Mount?

3 A Cape Mount?

4 Q Yes, what is it?

5 A Yeah, Cape Mount is going toward Freetown, certain way.

6 Q Okay. Is Cape Mount a county in Liberia?

7 A Yes.

8 Q And it's called Grand Cape Mount County?

9 A Yeah, Grand Cape Mount County.

10 Q Okay. And is Duallah basically a -- neighborhood of
11 Monrovia? Is it in the general Monrovia area?

12 A Mesurado, yes, bottom Mesurado.

13 Q Okay. So tell us, in addition to telling you that you
14 were going to go to Duallah to fight, what else did Tom
15 Woewiyu tell you about what your mission was going to be?

16 A Yeah, he said we are going to fight the ECOMOG troops,
17 any attack is not an easy thing.

18 Q He said you're going to fight who?

19 A ECOMOG. ECOMOG soldiers.

20 Q Okay. And what did he say about the fight? It wasn't
21 going to be what?

22 A Not going to be easy.

23 Q Wasn't going to be easy, okay. And what else did he tell
24 you?

25 A Later we left, he told us that groups were going to be

1 dividing into two. Other group left and went with General
2 Zaar on a car road going Karata and we took the train track
3 road on.

4 Q Okay. Who told you that you were going to be divided
5 into two groups?

6 A He gave the order to the various commander that was
7 leading the various group.

8 Q When you say "he gave the order to the various
9 commanders," who do you mean when you say he?

10 A Tom Woewiyu.

11 Q Okay. So Tom Woewiyu gave an order to other commanders?

12 A Yeah.

13 Q And what did he order those other commanders to do?

14 A He ordered them groups to be divided into two.

15 Q Okay. And do you know the names of the commanders who
16 were in charge of those two groups?

17 A The group -- the group I was in, our commander that took
18 us was Alfonso.

19 Q So you were under Alfonso?

20 A Alfonso --

21 Q And --

22 A -- General Zaar carry the other group.

23 Q Who? I'm sorry.

24 A General Zaar.

25 Q General Zaar.

1 A Yeah.

2 Q Okay. About how many people were in your group?

3 A I don't know the exact total.

4 Q All right.

5 MS. HENRY: I didn't -- I didn't hear that.

6 BY MR. THAYER:

7 Q Can you say your answer again?

8 A I don't know the exact total.

9 MS. HENRY: Thank you.

10 BY MR. THAYER:

11 Q You don't know exact totals?

12 A Yeah. There --

13 Q Okay.

14 A There were many.

15 Q There were many?

16 A Yeah.

17 Q Were there child soldiers in the group?

18 A Yes.

19 Q Were there child soldiers in General Zaa's group?

20 A Yes.

21 Q And I think you were saying that you -- the two groups
22 took different directions?

23 A Yeah.

24 Q Which route did your group take?

25 A We use a train track.

1 Q The train tracks?

2 A Yeah, train road.

3 Q The train road?

4 A Yeah.

5 Q And how about the other group?

6 A They used the car road.

7 Q The car road?

8 A Yeah.

9 Q Okay. And how did you get to Duallah?

10 A We walk along the train track for two days before getting
11 to Duallah.

12 Q And what happened?

13 A When first day we left we slept in the bush. Second day
14 we reach -- kept our self in a bush. Same morning about 4:00
15 we begin attacking.

16 Q And who were you attacking?

17 A We were attacking the ECOMOG soldiers.

18 Q And where were they based, if you know?

19 A They were based in -- I don't know their main community
20 but it was based in Duallah across the road.

21 Q And tell us what happened.

22 A Well, we went, they begin to deploy us. The town that
23 we're going to attack early in the morning, we begin
24 attacking, begin firing at them. While we're shooting,
25 everybody was firing. They too were shooting. They came with

1 force, shoot us for almost an hour.

2 They came with heavy force. We begin retreating and
3 one of my friends was even killed. I hide by in the bush. We
4 escaped. My brother and myself, we met, we escaped. We spent
5 three days in the bush. We came home, we did not go back to
6 Cole Farm. We came straight Kakata, came -- the arm I have, I
7 throw my own in a unfinished house. We (inaudible) in a
8 banana bush. We came and pick up our clothes, we (inaudible).

9 Q Okay, let me just stop you right there.

10 THE COURT: How much longer do you have?

11 MR. THAYER: Maybe ten minutes, Your Honor.

12 THE COURT: Okay. Go on.

13 BY MR. THAYER:

14 Q And you said something about your -- your arms. Can you
15 just tell us in a little bit more detail what you're talking
16 about?

17 A Yes. When I came with the arm I throw it out, I throw it
18 in a unfinished house.

19 Q You threw your what where?

20 A Weapon in a unfinished house because I don't want for if
21 I get to Kakata, other people would see me with a arm
22 (inaudible). I would be able to even be captured or go back.

23 Q Okay.

24 A I was so afraid so I threw it back in a unfinished house.
25 My brother left it in banana bush.

1 Q And just what's the word you're using? You said you
2 threw your -- your gun where?

3 A In a unfinished building.

4 MR. THAYER: Maybe we can use a translation here.

5 THE INTERPRETER: When we got back I threw my arms
6 into an unfinished building --

7 MR. THAYER: Unfinished building.

8 THE INTERPRETER: -- and my brother threw his into
9 the banana bush.

10 MR. THAYER: Okay.

11 BY MR. THAYER:

12 Q And where did you eventually make your way to, sir?

13 A When I left I came at the house, I only pick up few
14 clothes, put them in bag. Obis and myself were left. We
15 came, we slept awhile. Set out Willa. We spent a week plus in
16 (inaudible). We go on truck, how we came to Nimba.

17 Q And were you able to spend the rest of the war without
18 having to participate in it again?

19 A After I went in Nimba, I did not take part in another war
20 again.

21 Q So you saw Tom Woewiyu on two occasions, is that right,
22 during the war?

23 A Yeah, in Boma (phonetic).

24 Q And did you ever see him again after the war?

25 A Yes. After the war during election in '97, that's when

1 my last time I see him.

2 Q Where did you see him?

3 A Dou.

4 Q In where?

5 A Dou. Dou.

6 Q How do you spell that?

7 A D-O-U.

8 Q D-O-U?

9 A Yeah.

10 Q And where is Dou? Dou?

11 A Dou in Zanclan, lower Nimba County, District Number 8.

12 MR. THAYER: I'm sorry, I'll need a translation.

13 THE INTERPRETER: Dou is in Zanclan (phonetic),
14 lower Nimba County.

15 THE WITNESS: District Number 8.

16 THE INTERPRETER: District Number 8.

17 MR. THAYER: Okay.

18 BY MR. THAYER:

19 Q And what year was that, do you remember?

20 A '97.

21 Q And how far away from you from Tom Woewiyu were you when
22 you saw him in 1997?

23 A He was not far from me, we were very close by
24 (inaudible).

25 Q Okay.

1 MR. THAYER: Could we have B-3 shown to the witness,
2 please?

3 THE COURT: Has that been admitted?

4 MR. THAYER: It has not.

5 THE COURT: Okay.

6 BY MR. THAYER:

7 Q Sir, you're going to see hopefully an image in a minute
8 or so on the computer screen next to you.

9 THE COURT: B-7, is that what it is?

10 MR. THAYER: B-3, Your Honor.

11 THE COURT: B-3, okay.

12 UNIDENTIFIED SPEAKER: D or B?

13 MR. THAYER: Bravo.

14 UNIDENTIFIED SPEAKER: Bravo, thank you.

15 (Pause in proceedings)

16 THE COURT: Okay. Fine, thank you.

17 BY MR. THAYER:

18 Q Sir, do you have an image on your computer monitor? Can
19 you see a picture on your computer monitor?

20 A Yes.

21 Q And do you recognize anyone in that photograph?

22 A Yes.

23 Q Who do you recognize?

24 A I recognize Taylor, Tom Woewiyu --

25 Q And when you say "Taylor," who do you mean?

1 A I said I recognize Charles Taylor.

2 Q Charles Taylor?

3 A Yeah.

4 Q All right. And if we're going from left to right, which
5 number person is Charles Taylor and what is he wearing?

6 A From Charles Taylor to my right --

7 Q From the -- from the left of the picture moving right,
8 what number? There are a number of people in this picture.
9 If you could count the people, what number is Charles Taylor?
10 First, second, third, fourth, fifth?

11 A From here --

12 THE COURT: This isn't -- this isn't being
13 published?

14 MR. THAYER: No, it's not yet.

15 THE COURT: Oh.

16 THE WITNESS: From the first person (inaudible)
17 Charles Taylor is second. I don't -- I don't see the other
18 (inaudible) clearly.

19 MR. THAYER: All right.

20 BY MR. THAYER:

21 Q And what color is Charles Taylor's outfit?

22 A Charles Taylor wearing a white (inaudible) shirt --

23 Q Okay --

24 A -- suit.

25 Q He's wearing a white shirt --

1 A White suit.

2 Q White suit?

3 A With a white hat.

4 Q With a white hat. And how about Tom Woewiyu? Where is
5 he standing?

6 A He's standing right behind Taylor --

7 Q All right.

8 A -- with wearing -- wears (inaudible) shirt on -- on a
9 coat suit.

10 Q With a white shirt and a suit?

11 A Hm-hmm.

12 Q All right.

13 MR. THAYER: Your Honor, I ask that --

14 BY MR. THAYER:

15 Q -- and does this photograph accurately reflect what Tom
16 Woewiyu looked like when you saw him?

17 A Come again?

18 Q Does this photograph reflect -- does it show how Tom
19 Woewiyu looked when you saw him? Is that what he looked like
20 when you saw him?

21 A Yeah, he was black, tall.

22 Q Okay.

23 MR. THAYER: Your Honor, I ask that Government
24 Exhibit B-3 be moved into evidence.

25 MS. HENRY: No objection, Your Honor.

1 THE COURT: All right, it's received.

2 MR. THAYER: And may we be shown A-9, please? This
3 is already in evidence so I'd ask if it could be shown to the
4 jury?

5 THE COURT: Do you want -- you don't want this to be
6 shown to the jury?

7 MR. THAYER: Oh, I'm sorry, yeah, let's publish it
8 to the jury. I'm sorry.

9 THE COURT: Before we change the screen.

10 MR. THAYER: Thank you, Your Honor. Yes. Just
11 trying to move things along.

12 THE COURT: All right. Okay. Okay, now you can
13 move him along.

14 MR. THAYER: All right.

15 BY MR. THAYER:

16 Q Sir, can you circle Charles Taylor? And you can just put
17 your finger right on the screen. All right. And can you just
18 draw maybe a little arrow where you see Tom Woewiyu? Okay.

19 MR. THAYER: Now, may we be shown A-9, please?

20 BY MR. THAYER:

21 Q I'm going to show you a map, sir, and it's going to come
22 up.

23 MR. THAYER: I think we're going to need A-10. No,
24 I'm sorry, A-9. A-9, please.

25 THE COURT: Not A-10?

1 MR. THAYER: A-9, Your Honor.

2 THE COURT: Okay.

3 BY MR. THAYER:

4 Q Sir, can you see the map on your screen there?

5 A Yes, I see.

6 Q All right. If it's big enough, can you circle where
7 Kakata is for the ladies and gentlemen of the jury?

8 A Here is Kakata.

9 Q Now, before you touch the screen again, if you can take a
10 look at the screen and figure out approximately where Cole's
11 Farm is, and just put a mark with your finger where Cole's
12 Farm is.

13 A When you take the road here -- Cole Farm is somewhere
14 around here.

15 Q Okay. Right where your finger stopped?

16 A Yeah.

17 Q All right.

18 A All right.

19 Q And how about Bong Mines. If you put a dot where you
20 think Bong Mines is, can you do that, sir?

21 A Bong Mine -- is Bong Mine here.

22 Q Somewhere all the way up there?

23 A Hm-hmm.

24 Q Okay. Thank you, sir. Now, I want you to look around
25 the courtroom. I want you to look around the courtroom, and

1 I'm going to ask you if you see in this courtroom, Tom
2 Woewiyu.

3 A Come by again?

4 Q I'm going to ask you to look around the courtroom --

5 A Hm-hmm.

6 Q -- and tell the ladies and gentlemen of the jury if you
7 see Tom Woewiyu in this courtroom.

8 A Yes.

9 Q Do you see him here today?

10 A Yes.

11 Q You see Tom Woewiyu today here in this courtroom, is that
12 right?

13 A Tom Woewiyu, yeah.

14 Q Okay. Can you describe for the members of the jury
15 something he's wearing so that we know for the record that you
16 are identifying Tom Woewiyu?

17 A I can't point finger?

18 Q You can point a finger if that helps.

19 A Yes, Tom Woewiyu is sitting over there.

20 THE COURT: Okay.

21 BY MR. THAYER:

22 Q And what is he wearing?

23 A Gray coat suit with pin shirt on him with necktie.

24 Q With the pink shirt?

25 A Yeah.

1 THE COURT: Okay, the Court -- the defendant has
2 identified the defendant.

3 MR. THAYER: Thank you, sir, that's all I have.

4 THE COURT: Okay, are you going to be long?

5 MS. HENRY: Not that long, Your Honor.

6 THE COURT: Do you want -- do you think you'll be
7 finished by 5:00, or don't you?

8 MS. HENRY: Let me just have the Court's indulgence.

9 (Pause in proceedings)

10 MS. HENRY: Your Honor, I might be longer. I'd
11 rather wait until --

12 THE COURT: Okay.

13 MS. HENRY: -- the next court session.

14 THE COURT: All right. Members -- okay, you won't
15 be back until Monday morning at 9:45. Remember your recess
16 instructions not to discuss this case among yourselves until
17 all the evidence is in and you receive the final instructions
18 from me, because only then can you discuss this case fairly
19 and intelligently.

20 Do not talk with the witnesses, the lawyers or the
21 parties on any subject. Do not make an investigation of your
22 own. Do not talk with your families, friends, coworkers or
23 anyone else. Don't go to the internet or all the other
24 gadgets that I mentioned before. Your only information you
25 should receive is that which you receive here in Court. Thank

1 you. Have a very nice weekend. We'll see you Monday. Court
2 is adjourned.

3 MR. WRIGHT: Good afternoon, Your Honor.

4 MR. THAYER: Good day, Judge.

5 (Proceeding concluded, 4:51 p.m.)

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C E R T I F I C A T I O N

10 We, Josette Jones, and Diane Gallagher, court
11 approved transcribers, certify that the foregoing is a correct
12 transcript from the official electronic sound recording of the
13 proceedings in the above-entitled matter.

14

15

16 _____
JOSETTE JONES

17

18

19 _____
DIANE GALLAGHER

DATE

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